

SENATE.

THURSDAY, January 7, 1915.

(Legislative day of Wednesday, January 6, 1915.)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

ANNIVERSARY OF BATTLE OF NEW ORLEANS.

Mr. THORNTON. Mr. President, on yesterday I submitted a concurrent resolution expressing the sense of Congress in connection with the celebration of the Battle of New Orleans tomorrow. That resolution ordinarily would have come up automatically this morning, but on account of there being a recess from yesterday, I presume it will be necessary to ask unanimous consent to call up the resolution at this time and dispose of it. It will not consume over five minutes of the time of the Senate.

The PRESIDENT pro tempore. Unless there is objection, the request of the Senator from Louisiana will be granted. The Chair hears none. The Secretary will read the concurrent resolution.

The Secretary read Senate concurrent resolution No. 35, submitted yesterday by Mr. THORNTON, as follows:

Whereas the General Assembly of the State of Louisiana for the year 1914 provided by act No. 144 for a fitting celebration of the one hundredth anniversary of the Battle of New Orleans, intrusting the execution of the provisions of said act to the Louisiana Historical Society; and

Whereas, in accordance with said act, invitations have been extended to the respective presiding officers and the Members of the Congress of the United States to attend these commemorative exercises to be held in the city of New Orleans on January 8, 9, and 10, 1915: Therefore be it

Resolved by the Senate (the House of Representatives concurring), That the Congress of the United States acknowledges with pleasure the receipt of said invitations and appreciates the courtesy thus extended.

Resolved further, That the Congress of the United States commends the patriotic spirit that has prompted the people of Louisiana to celebrate properly the great victory achieved on the field of Chalmette by American arms under the leadership of Andrew Jackson, and rejoices in the heroic valor displayed by friend and foe alike in that memorable conflict.

Resolved further, That a copy of this resolution be transmitted to the governor of Louisiana, the mayor of New Orleans, and the Louisiana Historical Society.

Mr. THORNTON. Mr. President, 100 years less one day ago, within sight of the city of New Orleans, was fought the last battle of the War of 1812 between the United States and Great Britain.

It was a battle which, considering the great inequality of the forces engaged, both in point of numbers and of military training and the tremendous disparity between the losses on the two sides, deserves to be classed among the most remarkable in the annals of military warfare.

Less than 4,000 Americans, new and untrained levies from Tennessee, Kentucky, and Louisiana, with a company from Mississippi, aided by about a thousand Regular and a ship's crew of gallant New England sailors, who had fought their ship against overpowering odds until she was destroyed and then served with the land forces, and a detachment of Lafitte's pirate band, who although outlawed by Louisiana on account of their crimes, yet sought and received permission to fight against the foreign invaders of her soil, repulsed the repeated and determined assaults of 10,000 trained British veterans, who had greatly distinguished themselves in the recent Napoleonic wars, and who with their officers were as brave a body of soldiers as the world then knew, with a loss of about a dozen on the American to about 3,000 on the British side.

On that memorable day when the sharp crack of the backwoodsmen's rifles mingling with the roar of the cannon commanded by Dominique Yew, the lieutenant of Lafitte, wrought such fearful havoc in the enemy's ranks, a bright and undying luster was shed on American soldiers and on their commander on that field, Gen. Andrew Jackson, whose great military genius combined with his wonderful energy and skill in organizing the American forces made the great victory possible.

Since that time the State of Louisiana has celebrated this battle on each recurring yearly anniversary and has made the day a legal holiday throughout her borders.

On this hundredth anniversary she seeks to celebrate it with unusual display, and has asked and been promised the cooperation of the land and naval forces of the United States, and has invited the President and the Congress to participate in the ceremonies at New Orleans in commemoration of an event that should be a source of pride to Americans everywhere.

I ask for the adoption of the concurrent resolution.

The PRESIDENT pro tempore. Unless there is objection the concurrent resolution will be agreed to. The Chair hears none, and it is agreed to.

RED LAKE INDIAN FOREST.

Mr. NELSON. I ask unanimous consent to introduce a bill, and that it be referred to the Committee on Indian Affairs.

The PRESIDENT pro tempore. Without objection, the bill will be received and referred to the Committee on Indian Affairs.

The bill (S. 7179) to provide for the establishment of a forest reserve within the Red Lake Indian Reservation, Minn., was read twice by its title and referred to the Committee on Indian Affairs.

THE MERCHANT MARINE.

The PRESIDENT pro tempore. The Senate resumes the consideration of Senate bill 6856, the so-called shipping bill.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 6856) to authorize the United States, acting through a shipping board, to subscribe to the capital stock of a corporation to be organized under the laws of the United States or of a State thereof, or of the District of Columbia, to purchase, construct, equip, maintain, and operate merchant vessels in the foreign trade of the United States, and for other purposes.

Mr. DILLINGHAM. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Senator from Vermont suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Fletcher	Perkins	Smoot
Bryan	Gallinger	Ransdell	Thomas
Burton	Martine, N. J.	Robinson	Thornton
Clarke, Ark.	Nelson	Sherman	Vardaman
Cummins	Overman	Smith, Ga.	Williams
Dillingham	Page	Smith, Md.	

Mr. MARTINE of New Jersey. I was requested to announce the unavoidable absence, owing to illness in his family, of the Senator from West Virginia [Mr. CHILTON], and also to state that he is paired with the Senator from New Mexico [Mr. FALL]. This announcement may stand for the day.

Mr. ASHURST. I wish to announce that both the senior Senator from Oregon [Mr. CHAMBERLAIN] and the junior Senator from Oregon [Mr. LANE] are detained from the Senate on official business.

I further desire to announce that my colleague [Mr. SMITH of Arizona] is unavoidably absent, and that in his absence he is paired with the senior Senator from Connecticut [Mr. BRANDEGEE].

In order to save time I shall not repeat this announcement, but will let it stand for the day.

Mr. SMITH of Georgia. I wish to announce the necessary absence from the city of the junior Senator from Indiana [Mr. KERN]. This announcement I wish to continue for the day.

Mr. OVERMAN. I desire to announce that my colleague [Mr. SIMMONS] is absent on account of sickness. I will let this announcement stand for the day.

The PRESIDENT pro tempore. Twenty-three Senators have answered to their names. A quorum of the Senate is not present. The Secretary will call the roll of the absentees.

The Secretary called the names of the absent Senators, and Mr. CULBERSON, Mr. GRONNA, Mr. JOHNSON, Mr. NORRIS, Mr. ROOT, Mr. SMITH of South Carolina, Mr. STERLING, Mr. STONE, and Mr. WHITE answered to their names when called.

Mr. CLAPP, Mr. McCUMBER, and Mr. POMERENE entered the Chamber and answered to their names.

The PRESIDENT pro tempore. Thirty-five Senators have answered to their names. A quorum of the Senate is still not present. What is the pleasure of the Senators present?

Mr. SMITH of Georgia. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDENT pro tempore. The Sergeant at Arms will take due notice and enforce the order.

Mr. LA FOLLETTE, Mr. O'GORMAN, Mr. CAMDEN, Mr. BRADY, Mr. JONES, and Mr. MYERS entered the Chamber and answered to their names.

Mr. HARDWICK, Mr. WORKS, Mr. WALSH, Mr. TOWNSEND, Mr. TILLMAN, Mr. GORE, Mr. SUTHERLAND, and Mr. SAULSBURY entered the Chamber and answered to their names.

The PRESIDENT pro tempore. Forty-nine Senators having answered to their names, a quorum of the Senate is present.

Mr. FLETCHER. Mr. President, as I understand, the parliamentary situation is that Senate bill 6856 is under consideration, and that the adoption of the amendment offered by the committee in the nature of a substitute is the pending question?

The PRESIDENT pro tempore. A substitute under our rules is practically a motion to strike out and insert; it constitutes two questions. The friends of the original text of the bill may perfect it, if they so desire, before the question is put on the adoption of the substitute; but if no amendment shall be offered to the original bill, the question will be on the adoption of the substitute. The bill is before the Senate as in Committee of the Whole and open to amendment. No amendment having been offered to the original text, the question is on the adoption of the substitute.

Mr. THOMAS obtained the floor.

Mr. BURTON. Then, Mr. President, I understand the pending question is on the adoption of the substitute offered yesterday for the bill originally reported?

The PRESIDENT pro tempore. The Senator from Ohio is correct.

Mr. BURTON. I desire to discuss that.

Mr. THOMAS. Who has the floor, Mr. President?

The PRESIDENT pro tempore. The Senator from Colorado has been recognized for the present. The Chair will recognize the Senator from Ohio when the Senator from Colorado concludes.

Mr. THOMAS. Mr. President, during the discussion of Senate resolution 512 on yesterday the senior Senator from New York [Mr. ROOR] sent to the desk an order of the Treasury Department bearing date of October 28, 1914, which was, by his request, read into the RECORD. The Senator then briefly but severely criticized the order, which I will read into the RECORD. The Senator said:

Mr. President, at a time when, under the admitted law of nations, when under the law as it is agreed upon by both the United States and Great Britain, Great Britain was justified in stopping and searching vessels for contraband, this Treasury order imposes secrecy upon the cargoes of vessels sailing from our ports, necessarily creating a suspicion, necessarily involving the honest cargoes in the same interference, delay, inconvenience, and injury which will be visited upon clandestine attempts to introduce contraband. Let us know why that was done, and let us have a resolution, not interfering with the resolution of the Senator from Georgia for the purpose, but adopting that, and then let us have a resolution that will cover this whole ground and find out why all honest American commerce has been blackened by a Treasury order which creates suspicion regarding it.

Mr. President, the order against which this criticism was directed is very brief. It is dated the 28th of October, 1914, is directed to collectors and other officers of customs, and is as follows:

Until further directed you will refrain from making public or giving out to any other than duly authorized officers of the Government information regarding any and all outward cargoes and the destination thereof until 30 days after the date of the clearance of the vessel or vessels carrying such cargoes.

Of course, Mr. President, under the statute, manifests of outward-bound cargoes are required to be filed with customs officers and by them transmitted to the Statistical Bureau, the primary if not the only purpose being to inform that bureau of the nature of the shipments which constitute our exports. That has been done ever since the statute was enacted; and, although the literal requirement of the law is that the filing of the manifests shall precede or accompany the commencement of the voyage, it has been the custom until recently to permit them to be filed four days after the voyage has begun, that being for the interest and the convenience of the shippers themselves. This privilege, however, was on the 10th day of August last revoked by a departmental order, permitting vessels to clear only after compliance with the statute.

For many years a press bureau interested in the subject has been given access to these manifests to secure such statistical information, excepting the names of consignor and consignee, as might be desired and for general information; a bureau which, of course, serves a very important and desirable purpose.

That practice continued until the 28th day of October last, shortly before which the New York Merchants' Association, at the solicitation of some of its members, requested of the Government that information concerning these manifests be withheld for a period of two or three weeks after the vessel had begun its voyage. The Secretary of Commerce being in the city of New York on the 27th day of October conferred with the officers of this association concerning the subject. As a result of the conference the Secretary sent a telegram to the President of the United States, the substance of which was that his attention had been brought by the Merchants' Association of New York to the fact that published manifests showing details of cargoes were constantly utilized by official representatives of belligerent powers to inform their Governments concerning the nature of such cargoes, thus prompting their capture or detention; that this had resulted in the serious delay of neutral cargoes, thereby adversely affecting American shippers, and that it had been suggested by the

association that the publication of the details of manifests be suspended for two or three weeks after the sailing, and requesting early consideration of the subject.

This matter was at once brought to the attention of the Treasury Department, with the result that on the succeeding day the order which was the subject of yesterday's discussion was promulgated. Immediately following the promulgation of the order the merchants' association, in the current issue of its official weekly bulletin, published the following statement concerning the order which appears in the New York Journal of Commerce of November 2:

At the instance of the merchants' association the Treasury Department has issued the following statement to all collectors of customs:

"Until further directed you will refrain from making public or giving out to any other than duly authorized officers of the Government information regarding any and all outward cargoes and the destination thereof until 30 days after the date of the clearance of the vessel or vessels carrying such cargoes."

The order was issued by direction of President Wilson, and it is of vital importance to the commerce of the port of New York at this time. Some of the commodities which hitherto have formed a large part of our exports have been declared contraband by the countries at war in Europe. Cargoes containing these commodities have been held up and their delivery to consignees prevented. The result has been that shippers have largely refrained from attempting to send such commodities abroad. The State Department has informed subjects of the United States that they are free to ship contraband articles, even ammunition, to belligerents, but that such shipments must be at the risk of seizure.

It has been the custom in the New York customhouse to make daily announcements of the character and quantity of merchandise leaving this port for foreign countries. Advantage has been taken of this fact by representatives of the countries at war to inform their Governments of shipments of materials which have been declared contraband, the name of the vessel carrying them, and its destination. It has thus been easy for belligerent nations to stop such shipments.

Members of the merchants' association recently brought this situation to the attention of the association, with a request that an effort be made to suspend the practice. The matter was promptly taken up with the authorities at Washington. Mr. S. C. Mead, secretary of the association, communicated with the Department of Commerce, and Secretary Redfield made a personal visit to the headquarters of the association. After going over the situation he telegraphed to President Wilson, suggesting that the rule requiring daily information of shipments to be made public be suspended. Mr. Mead also went to Washington, where he conferred with officials of the State Department and the Secretary of the Treasury. As a result the President's order was issued last Wednesday.

The suspension of the rule under which daily information regarding shipments has been made public is expected to have a stimulating effect upon commerce from this port. The Government orders given by countries at war alone amount to many millions of dollars in this country. In addition, important industries abroad are largely dependent upon raw materials obtained from the United States. Shipments of these articles, when they have been declared contraband, have been almost entirely discontinued.

While the United States has been endeavoring to stimulate foreign trade, at the same time, through operation of the rule now suspended by the Treasury Department, it has been aiding materially in maintaining an embargo upon many articles of commerce which this country is ready and anxious to export. Many of the vessels carrying cargoes from the United States have been held up by patrol vessels of belligerents.

The importance of maintaining a foreign outlet for United States products is seen in the present condition of the cotton market, where the suspension of the foreign demand is causing financial distress throughout the South. Similar conditions exist with regard to other less conspicuous products.

Of course, Mr. President, the effect of this order upon the custom previously and then prevailing, whereby information concerning the shipments and the articles constituting the respective cargoes was given to the public, necessarily aroused antagonism to its operation, not only by the members of the press, but as well by a certain class of brokers and business men concerned in the communication of this information to others. They made their protests to the department, and I presumed that it was due to these protests that the distinguished Senator from New York saw fit to animadvert so severely upon this order. However, it is to be noticed that this embargo upon the publication of the manifests, or of their contents, in no manner affected the consignors or the consignees, or, indeed, the shipowners themselves. All of these were quite as much at liberty to give to the public information concerning their cargoes as they were prior to the time the order itself was made. Hence, its only purpose could be to comply with the convincing arguments of the New York Merchants' Association and comply with its request as far as the Government was convinced that it should do so.

This order, which the Senator declares is one which blackens with suspicion all of our export trade, had its origin in the request of a great mercantile association, the members of which form a part, and a very considerable and prominent part, of the Senator's constituency. I feel very sure that had these facts been within the knowledge of the Senator his objections to the order would at least have been expressed in milder form than was the case. I do not believe the Senator from New York was inspired by any partisan or other motive which I could justly criticize to condemn the action of the Treasury

Department with reference to this order, for I assume that his opinion of its effect was as he stated it to be.

Mr. SUTHERLAND. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Colorado yield to the Senator from Utah?

Mr. THOMAS. I yield.

Mr. SUTHERLAND. Mr. President, I did not hear all the Senator has said about this order, and perhaps he may have already stated what would be an answer to the question I am about to propound. Has it been the custom heretofore to make public these manifests at once?

Mr. THOMAS. It was the custom, up to the 28th day of October, to permit the press bureau identified with the customs department and others to have access to these manifests, and they were permitted to make public the items constituting the cargo and its destination, but without giving the name of the consignor or of the consignee, the restriction being obviously to the interest of those directly identified with the shipment.

Mr. SUTHERLAND. But the information as to what cargo was carried by any particular vessel has heretofore been entirely open to the public?

Mr. THOMAS. With those exceptions; yes.

Mr. SUTHERLAND. With the exception of the name of the consignor and the name of the consignee?

Mr. THOMAS. Yes; and possibly some others.

Mr. SUTHERLAND. Does the Senator know whether or not that custom has ever heretofore been departed from, except in this single instance?

Mr. THOMAS. I do not know positively; but I do not think it has been heretofore departed from, and it is departed from now, not by the initiative of the department, but because of the request formally presented, and afterwards urged upon the consideration of the department, by the New York Merchants' Association.

Mr. SUTHERLAND. Then, let me ask the Senator, further, whether or not the purpose and the effect of the order is to facilitate the trade of a part of our people in contraband articles?

Mr. THOMAS. If the Senator had been here when I read the announcement of the mercantile association, he would have received a much better answer than I can make to the question.

Mr. SUTHERLAND. Unfortunately, while I was in the Chamber, there was so much confusion that I was unable to hear it.

Mr. THOMAS. I shall be very glad, before returning this paper to the Library, to deliver it to the Senator, so that he may read it. I can state, however, that the principal complaint made by the association was that the representatives of belligerent powers were abusing the right of access to these manifests by obtaining and transmitting to their own Governments information as to the nature, character, and destination of the cargoes, thereby interfering with our export trade and resulting in the frequent detention of cargoes bound to neutral ports.

Mr. SUTHERLAND. Of course they could not in any manner bring about any interference with the cargo unless it was contraband, I imagine.

Mr. THOMAS. Not lawfully; but the criticism which the Senator from New York made of this order on yesterday was that by our official action we had blackened with suspicion every cargo leaving an American port. My purpose in referring to the matter this morning is to place upon the Record the actual facts which attended the making and promulgation of the order.

Mr. SUTHERLAND. Let me ask the Senator, then, another question.

We have all been informed, through the newspapers and otherwise, that certain shippers have endeavored to conceal in the cargoes articles which were contraband. For example, it has been said that copper has been carried under a load of cotton. It has been said that, in one instance at least, copper bars were painted to represent pigs of iron, and that in other ways concealment has been attempted as to the character of the cargo or some portions of the cargo, so as to conceal the fact that the articles were contraband. Now, if I understand the matter—and I will ask the Senator from Colorado if I am right—the manifest must truly state what is carried in the cargo. The manifest would show, in the instance I have spoken of, notwithstanding the fact that the copper was concealed, that it was actually carried. Now, I ask the Senator whether the effect of that would not be to invite suspicion as to other cargoes than those which actually did contain contraband. When the manifest is held up, so that foreign countries will not have information as to what is being carried,

will not that naturally excite more or less suspicion with reference to that as well as other cargoes?

Mr. THOMAS. Mr. President, of course it is true that under the law a manifest should contain a correct description of the various materials going to make up the cargo; but it is, I think, equally clear that if cargoes such as are involved in the Senator's question constitute the contents of any given vessel the very reasons which prompted the peculiar method of transmission would also prompt falsification of the manifest; and, as a consequence, the manifest would give no indication to any person who might inspect it as to that particular fact.

The Senator, however, perhaps overlooks another fact, which, of course, may not be important in connection with the subject matter of his question. That is that this order simply interdicts the giving of information for 30 days by officers of the United States, leaving the shipowner, the shipmaster, the consignor and the consignee just as free as they were before to give all information they may desire, either to the public or to individual inquirers.

Mr. SUTHERLAND. I imagine, however, that if the consignor, the consignee, the shipowner, and the shipmaster were all engaged in helping to carry on contraband trade, none of them would be likely to give information.

Mr. THOMAS. I think that is true. At the same time, the contraband character of the cargo, if concealed, would not be likely to appear in the ship's manifest. But, Mr. President, although I think the order was a good one, and should have been made, it is not my present purpose to defend the order itself so much as to explain and inform the country of the circumstances under which it was promulgated and the association which asked for its promulgation. Inasmuch as it came from one of the oldest, one of the largest, and one of the most influential commercial bodies in the country, the component members of which doubtless belong to all political parties and entertain all shades of political belief, the criticism of the Senator from New York, if it is a sound one, should have been directed to his own constituents, who requested this order, rather than to the officers of the Government who promulgated it at their request.

Generally speaking, the Senator from New York is well informed upon everything he discusses upon this floor. Of course we can not expect perfection in human nature. Even Homer nodded occasionally. Consequently, I can with perfect consistency assume that in this instance there were some things, both of fact and possibly of philosophy, relating to the subject on which the Senator had not been informed.

Mr. SMITH of Georgia. Mr. President, I was interrupted during a part of the Senator's remarks. Has the order been revoked?

Mr. THOMAS. The order has not been revoked.

Mr. SMITH of Georgia. It is still in force?

Mr. THOMAS. It is still in force.

The PRESIDENT pro tempore. The Senator from Ohio [Mr. BURTON] has indicated a purpose to address the Senate at this time.

Mr. WALSH and Mr. CUMMINS addressed the Chair.

Mr. SUTHERLAND. Mr. President, will the Senator from Ohio yield to me for a moment?

Mr. BURTON. Certainly.

The PRESIDENT pro tempore. Does the Senator from Ohio yield to the Senator from Montana? The Senator from Montana sought recognition first. The Chair will recognize the Senator from Utah in a moment.

Mr. BURTON. I yield to the Senator from Montana.

Mr. WALSH. Mr. President, a week ago I presented to the Senate a resolution asking for certain information from the Department of State in relation to seizures of copper alleged to be contraband. There has not been up to this time an opportunity when I was here to have consideration of the resolution. I apprehend it will give rise to no discussion; and I appeal to the Senator in charge of the bill now before the Senate and to the Senator from Ohio, who has the privilege of the floor at this time, to allow that matter to come up for consideration. I ask unanimous consent for its present consideration.

The PRESIDENT pro tempore. Does the Senator from Ohio yield for the purpose indicated?

Mr. BURTON. Certainly. I take it that it will not require any great amount of time or lead to any lengthy discussion. If it should, I wish to reserve the right to object.

The PRESIDENT pro tempore. Is there objection?

Mr. FLETCHER. I make no objection, Mr. President, the understanding being—

Mr. GALLINGER. Mr. President, I object.

The PRESIDENT pro tempore. Objection is made.

Mr. SUTHERLAND and Mr. CUMMINS addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Ohio yield to the Senator from Utah?

Mr. BURTON. Certainly.

Mr. SUTHERLAND. Mr. President, I have no intention of speaking at any length upon the subject which has just been discussed by the Senator from Colorado. I simply want to say a word or two about it. It strikes me that the matter is surrounded with more or less suspicion, to say the least of it.

It has apparently been the custom of the United States heretofore to promptly allow to be made public the shipments which were made from our ports to foreign countries. Outside of what the Senator from Colorado has said about it, my own understanding is that that has been the unbroken custom; and it seems to me, that being so, that this is an unfortunate time, rather than a good time, to introduce the contrary rule.

It has been said that some of the shippers from the United States have been guilty of sharp practices in connection with the shipment of contraband articles; that things that are contraband have been concealed in the cargo in such a way as not to be readily discoverable; and in other instances, as in the case of copper painted so as to look like iron, articles have been made to represent something which they actually were not.

It seems to me that a policy of secrecy, such as this seems to be, is one which of necessity must invite interference from the belligerent powers. Of course, they have a right to intercept the shipment of contraband articles which are intended for another one of the belligerents with which the country that institutes the search is at war; and upon reasonable suspicion they would have a right to undertake to ascertain the fact as to whether or not contraband articles were being carried.

Mr. WALSH. Mr. President—

Mr. SUTHERLAND. Just a moment. When we provide, as seems to be the case here, that no information shall be given for 30 days unless the consignor or consignee chooses to give it, that of itself is more or less a circumstance of suspicion. I yield to the Senator from Montana.

Mr. WALSH. The Senator has referred to clandestine efforts to introduce copper into belligerent territory, and much has been said in rather a general way about the concealment of copper bars in cotton bales and the coloring of copper bars so as to seem like steel rails. Has the Senator any definite information about specific instances of that character that he can lay before the Senate?

Mr. SUTHERLAND. No; I have not. I have no information beyond that which other Members of the Senate have.

Mr. WALSH. I inquired of the Senator because some diligent inquiry on my part has failed to reveal anything in that connection except some general statements of that character without any reference to specific instances at all. I thought possibly the Senator might have definite information.

Mr. SUTHERLAND. I think, however—

Mr. SMITH of Georgia. If the Senator will pardon me—

Mr. SUTHERLAND. I think, however, it is a thing that is quite likely to occur at a time like this. It has occurred in the past, and it is quite likely it will occur under present circumstances. Whether it has occurred or not, this order that is made is certainly calculated to facilitate that kind of practice.

Mr. THOMAS. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Utah yield to the Senator from Colorado?

Mr. SUTHERLAND. I yield to the Senator from Georgia because he rose first.

Mr. SMITH of Georgia. I wish to say to the Senator from Utah, following the suggestion of the Senator from Montana, that cotton shippers have challenged the production of a single instance in which copper was concealed in cotton, and so far the circulators of that rumor have never been able to name the vessel or to produce their evidence. Quite a vigorous effort has been made to induce the designation of the ship and of the cargo. We are satisfied that that part of the report is entirely without foundation.

Mr. SUTHERLAND. Yet the Senator from Georgia knows it has been stated over and over again.

Mr. SMITH of Georgia. Yes; and we have been embarrassed by the statement and we have sought to relieve our shippers from the statement.

While I am on my feet, if the Senator will pardon me, I wish to say that I sympathize with the view that this order does place an additional burden on those who are handling non-contraband goods. While it may help the contraband shipper to get through, it adds to the difficulty of the noncontraband shipper. The policy which has been pursued in the harbors in my own State, with the shipments from which I have been pretty closely connected continuously for the past 60 days, has been not only to tender an exhibit of what the cargo will com-

prise, but to invite the consuls of the allies to come on board and see that they are either not handling contraband goods or that they are handling them in such a way to neutral countries that should not subject them to interference. They have felt that they were entitled to all possible action before sailing, to relieve their vessels of suspicion.

Mr. THOMAS. Mr. President—

Mr. SUTHERLAND. I yield to the Senator from Colorado.

Mr. THOMAS. I would like to have the Senator from Utah, whose expressions upon this as upon every other subject are very clear and intelligent, inform me in what manner the order which is now under discussion can in any wise affect the practices of which we have had so many rumors. In other words, if a man is disposed to take contraband of war by concealing it, by changing its character and appearance, and by calling it something else, to put his purposes into actual operation, in what manner would the manifest which the statutes of the United States require for statistical purposes either prevent or promote that practice?

Mr. SUTHERLAND. Mr. President, it seems to me that the answer is very clear. These manifests are made, as I understand it, by the shippers, and the cargo is loaded under the supervision to some extent of the officials of the United States. Although I do not know, because I have not examined the subject, but I presume, because it would be a remarkable thing if it were not true, that there must be a more or less severe penalty attached to the making of a false statement as to what the cargo contains.

Mr. THOMAS. Mr. President, I concede that; but a man who will smuggle is a man who will lie, and the man who will take advantage of existing conditions, as many will, for the purpose of smuggling contraband goods either into a neutral or into a belligerent port—

Mr. SUTHERLAND. It is a good deal easier—

Mr. THOMAS. Assuming that it is a violation, and I think the Senator assumes that to some extent, will he not go the step further that is necessary to be taken and in his manifest conceal absolutely the contraband nature of his cargo?

Mr. SUTHERLAND. That does not necessarily follow.

Mr. THOMAS. One hundred dollars' fine amounts to nothing under those circumstances, although he might perhaps subject himself to prosecution for perjury.

Mr. SUTHERLAND. What the Senator from Colorado says does not necessarily follow. Take the article of copper. I will speak of that because we have been speaking of it. That is a bulky article. It is an article that can not be very well loaded in one of our ports without something being known about it at the time it is being loaded. If the manifest is held up, there is no opportunity to know what the manifest itself may show that the cargo contains a shipment of contraband, but there is also the opportunity of concealing it under the shipment of coal, or coal carried as ballast, or under a shipment of cotton or any other articles that may be carried. In other words, it is an additional circumstance which tends to facilitate the dealing upon the part of our people in contraband articles. It helps in that direction; and, as the Senator from Georgia has well said, in addition to that it embarrasses honest shippers by throwing suspicion upon them. Now, if we will pursue our policy of absolute publicity—

Mr. SMITH of Georgia. Mr. President—

Mr. SUTHERLAND. In just a moment. If we will pursue our policy of absolute publicity with reference to these manifests, then foreign countries will take it for granted as a general thing that the manifest thus made public states the truth about the matter; but if we hold it up for a period of 30 days it is likely to invite a greater degree of suspicion and a more frequent holding up of our ships for the purpose of ascertaining the facts with reference to the character of the cargoes which are no longer permitted to be disclosed by the publication of manifests. I yield to the Senator from Georgia.

Mr. SMITH of Georgia. I did not mean to intimate that the shipper of contraband goods was not honest.

Mr. SUTHERLAND. Oh, no; the Senator did not.

Mr. SMITH of Georgia. The Senator's language seemed to imply that I did. He may be perfectly honest; he has the right to ship it, but he ought to ship it under his colors, and he ought not to load down the noncontraband man with contraband colors.

Mr. SUTHERLAND. The Senator from Georgia is quite correct. The use of the word "honest" in that connection is not entirely accurate.

Mr. THOMAS and Mr. WILLIAMS addressed the Chair.

The PRESIDING OFFICER (Mr. POINDEXTER in the chair). Does the Senator from Utah yield, and to whom?

Mr. SUTHERLAND. I yield to the Senator from Colorado.

Mr. THOMAS. The deduction of the Senator from Utah may be perfectly sound, although I do not agree with him. It is not my purpose, however, to discuss that at present. I merely want to ask the Senator whether his criticism should not be directed to the action of the New York Mercantile Association rather than to the departmental authorities, unless they are to be censured for yielding to the argument and entreaty of that great commercial body.

The record shows that the matter had its inception as well as its consummation in what that association thought to be the real interest of the exporters of this country. While there may have been a mistake of judgment which is subject to all the comments of the Senator from Utah, yet, to my mind, the responsibility should rest where it belongs, and the Government should be criticized only in so far as it seems to have yielded its assent to a condition which was in all probability pressed most earnestly upon its consideration both at New York when the Secretary of Commerce was there and in Washington, where the secretary of the association visited Washington for that express purpose.

Mr. WILLIAMS. Mr. President—

Mr. SUTHERLAND. Just a moment, and then I will yield to the Senator from Mississippi. If the criticisms which I have suggested are sound, I think it follows that the request of this mercantile association was an improper request; but it does not follow that that excuses the officers of the Government for yielding to an improper request.

Mr. THOMAS. Certainly not, Mr. President.

Mr. SUTHERLAND. If it were an improper request, both the person who makes it and the person who yields to it are in the wrong.

Mr. THOMAS. That is correct, Mr. President; but are we not to assume that those who are responsible for the order had more abundant and exhaustive means of information, coming as the information did, and must have come from a body which is peculiarly fitted by experience and by the calling of their respective constituents to know, and which is much more precise, which is much more far-reaching, and much more exhaustive than any which the Senator or I or any other Member of this body possesses?

Mr. SUTHERLAND. Mr. President, the criticisms which I am making are more in the way of suggestion than of positive assertion. Further information on the subject may disclose that the officers have been right about the matter, but from the information which is at hand now, as it appears to me, there has been no sufficient excuse shown for this departure from a custom which has seemed in the past to be wise.

I yield to the Senator from Mississippi.

Mr. WILLIAMS. Mr. President, the object sought by me in interrupting the Senator from Utah was this: I think that all of you have been arguing the question from a standpoint that was unknown to the consciousness either of the merchants' association or the Government. There is no element of concealing anything or of misrepresenting anything or of misnaming anything that could possibly account for the request made by the merchants' association. The merchants' association made this request because the manifests communicated to the United States which they did not want made public contained the name of the contraband of war, not because it was concealed.

Now, the reason why they made the request was this: Under international law our citizens have a right to ship all the contraband of war they want; there is no sort of analogy to smuggling, as the Senator from Colorado seems to think.

Mr. THOMAS. Mr. President, I merely suggested that in order to assume the worst possible phase of the situation. I am of course aware that the export of contraband of war violates no law of the land.

Mr. WILLIAMS. As far as the man is concerned who was going to ship copper bars in a bale of cotton, or as far as the man who was going to paint a copper bar to look like a steel rail is concerned, the merchants' association was not thinking about him, because if his manifest, which was a false manifest, concealing the fact that he had the copper bar had been published it would not have caused any belligerent to seize the copper. The publication would have misled the belligerent's agent and helped in concealing the contraband. The merchants' association made the request because our citizens, having the right to ship contraband subject to its seizure at sea by a belligerent, thought that whenever this information that a cargo did contain contraband was communicated to the press, the agents or spies or what not of a belligerent power would communicate to their vessels that a certain ship was to leave New York on a certain date consigned to a certain port carrying so much copper or so much ammunition or so much something else, contraband, and thus lead directly to the cap-

ture of the ship. In the interest of American commerce they did not want the belligerent power to be given notice of the fact, so as to help them capture the cargo.

Now, if it were a fraudulent fellow who was hiding something, of course it would have worked in his interest to have published the false manifest of the cargo, because he would be publishing the manifest of so many bales of cotton without mentioning the copper that was on the inside of the bales, or make a false manifest of so many steel rails without mentioning that they were painted copper.

So this was not an order that in any way could protect false statements, false manifests, or concealments. It was merely an order which might protect the frank and open shipment of contraband subject to the risk of seizure where the fact that the contraband was a part of the cargo was communicated to the United States Government. Whether the order was wise or not is another question; but there can be and could have been no result of encouraging fraud or misrepresentation as a result of the issue of the order.

Mr. CUMMINS. Mr. President, before the Senator from Ohio [Mr. BURTON] proceeds with the bill under consideration I desire to make an inquiry concerning its parliamentary status. The committee reported the bill offered by the Senator from Missouri [Mr. STONE], with certain amendments. The Senator from Florida [Mr. FLETCHER] on behalf of the committee has now offered an amendment striking out the entire bill save the enacting clause. My inquiry is this: Are the amendments originally proposed by the committee pending, or have they been withdrawn?

Mr. FLETCHER. I will state the situation as I understand it. The committee reported the bill with certain amendments. Subsequently there were amendments offered to the bill referred to the committee and some taken up by the committee, and the committee agreed upon those additional amendments. There was a committee print of the bill with all the amendments including, first, those reported to the bill, and then the subsequent amendments agreed on by the committee. That committee print was laid on the desks of Senators for information yesterday, and owing to the fact that the amendments had been agreed upon by the committee and would be offered, I then moved yesterday in behalf of the committee to amend the bill by striking out all after the enacting clause and inserting the bill as proposed to be amended by the committee at first and including the last amendments agreed upon, so as to place them all in one amendment. It seemed to me it would simplify the matter very much to have that done. The amendment now in the nature of a substitute includes the amendments which were proposed when the bill was reported and also includes all amendments. So the substitute embraces the bill as amended by all the amendments agreed on in committee.

Mr. CUMMINS. Mr. President, I understand that is the substantial condition; but what I want to know is whether that is the parliamentary condition. Does the Senator from Florida on behalf of the committee withdraw the amendments which were originally proposed by the committee, so that there is now pending nothing but the one amendment by way of substitute?

Mr. FLETCHER. I will say, Mr. President, that those amendments are withdrawn as amendments to the original bill and are included in the substitute which has been offered.

Mr. CUMMINS. Does the Chair, then, feel authorized to say that the original amendments proposed by the committee have been withdrawn?

Mr. SMITH of Georgia. Mr. President, I suggest, before the Chair answers, that until a particular parliamentary question is raised for the decision of the Chair, growing out of some amendment offered, the Chair could hardly decide the question in advance.

As I understand, the original bill is before the Senate; an amendment in the nature of a substitute has been offered, which embodies all of the changes desired by the committee. It is now in the power of the Senate to amend the original bill or to amend the substitute; it is in the power of the Senate to vote down the substitute, and then adopt some other amendment in the nature of a complete substitute for the original bill.

Mr. GALLINGER. If the Senator will permit me, the question raised, as I understand, by the Senator from Iowa [Mr. CUMMINS] is that when the bill was originally reported it contained certain amendments; those amendments are now included in the substitute for the entire bill; and the Senator from Iowa desires to know if those original amendments have been withdrawn. I think the Senator from Florida did not formally withdraw them, but I think that was an oversight; I think he should have withdrawn those amendments and should have offered his substitute to include them.

Mr. SMITH of Georgia. I understand the Senator from Florida has said that his purpose was to have withdrawn them.

Mr. GALLINGER. But he did not do so.

Mr. FLETCHER. I understood the effect of offering the substitute embodying those amendments was to withdraw the original amendments, and that the proposition now before the Senate is on the adoption of the substitute instead of the original bill.

Mr. CUMMINS. Then, Mr. President, we all understand, or we have a right to understand, that the substitute offered by the Senator from Florida on behalf of the committee is the only amendment now pending, and that the former amendments proposed by the committee have been withdrawn?

Mr. FLETCHER. Yes.

Mr. SMITH of Georgia. The proposed substitute is the only committee amendment now pending. There are, of course, other amendments which have been sent to the desk by Senators to be printed.

Mr. FLETCHER. Other amendments have been sent to the desk, but they have not as yet been offered.

Mr. CUMMINS. They have not been formally presented.

Mr. CULBERSON. My understanding of the parliamentary situation is that the committee has withdrawn the original bill and amendments and has proposed in lieu thereof a substitute, so that the matter now pending before the Senate is the substitute bill proposed by the committee.

Mr. GALLINGER. But the committee could not withdraw the original bill; that bill is still open to amendment here by way of perfecting it.

Mr. CULBERSON. The committee has a right to perfect the bill by substitute or otherwise.

Mr. GALLINGER. But it has not a right to withdraw the bill. The Senate has the right to perfect that bill, if it see proper to do so, before the substitute will be in order.

The PRESIDING OFFICER. The Chair does not think there is much difference among Senators in regard to the question before the Senate. The question before the Senate is on the adoption of the substitute offered by the Senator from Florida [Mr. FLETCHER].

Mr. GALLINGER. That is right.

Mr. CUMMINS. I understand that; but that is not the question which I asked. That might be the question before the Senate, and yet the original amendments of the committee might still be pending, and that might change the further right of amendment very materially. I understand the Senator from Florida said that it was his purpose to withdraw the amendments originally proposed by the committee and that the only amendment now proposed by the committee is the substitute suggested last night and offered this morning. I desire to remind the Senator from Texas of the fact, also, that the motion of the Senator from Florida was to strike out and insert. In some respects that is a little different from a substitute. I only wanted to have it understood before we proceeded, so that there might be no confusion hereafter with regard to the right of amendment.

Mr. O'GORMAN. Mr. President, out of order, I ask unanimous consent to introduce a bill.

Mr. GALLINGER. I object.

The PRESIDING OFFICER. Objection is made. As to the question before the Senate, the Chair does not know that the Chair is called on to rule any further upon the proposition in response to the question of the Senator from Iowa [Mr. CUMMINS], but the understanding of the Chair is that the motion of the Senator from Florida [Mr. FLETCHER] to strike out all after the enacting clause of the bill and to insert in lieu thereof the substitute which he offered to the Senate and which has been printed necessarily includes the withdrawal of the amendments previously reported by the committee.

Mr. GALLINGER. That is right.

Mr. JONES. I want to suggest to the Senator from Iowa that my recollection is that the Chair some time ago announced that the proposition was the same as a motion to strike out and insert, and put the question upon the motion to strike out—

Mr. BURTON. Oh, no.

Mr. CUMMINS. That is the very question that is pending.

Mr. JONES. My recollection is that the Chair declared the motion to strike out had carried, and that the question was on the substitute.

Mr. SMITH of Georgia. No motion to strike out and insert has been carried; that is the pending motion.

Mr. CUMMINS. That is the way I understand it.

Mr. JONES. As I recall, the Chair declared that the motion to strike out had carried. The Chair announced that they were two propositions, each one to be considered separately under the rule, and put the question on the motion to strike out, and said,

"Without objection, the motion to strike out is agreed to, and the question is now on the adoption of the substitute."

Mr. CUMMINS. If that is the record, it is a mistake, because at that moment the Senator from Ohio [Mr. BURTON] addressed the Chair, saying that he wanted to make some observations upon that very question.

Mr. JONES. When the Chair was about to put the question on the adoption of the substitute, the Senator from Ohio arose and said he wanted to make some remarks. That is my recollection of the matter.

Mr. CUMMINS. Mr. President, I ask whether the record shows that the motion to strike out and insert, made by the Senator from Florida, has been adopted?

The PRESIDING OFFICER. The record shows that it has not been adopted.

Mr. CUMMINS. That is what I understand.

The PRESIDING OFFICER. That is now the question before the Senate.

Mr. BURTON. Mr. President, both the original bill as introduced by the Senator from Missouri [Mr. STONE] and the substitute involve the same principles and policies, and consequently my remarks will be directed to the general subject. It is my desire to approach the consideration of this measure from an absolutely nonpartisan standpoint. The questions involved in this bill should not be settled in accordance with any party platform or be considered with a view to obtaining party advantage. Governmental policies of the utmost importance are involved. The commerce and industrial progress of the country must be very seriously influenced by the adoption or rejection of this measure.

For now a score of years, Mr. President, I have stood with the minority of my party in opposing all propositions for so-called ship subsidies. It is my conviction that the bills which have been introduced having that end in view would prove ineffectual for the restoration of the American merchant marine and, had they been enacted, there would be serious danger that a privileged business interest would be built up and unduly favored. I can not accept the argument that a ship subsidy is the natural concomitant of a protective tariff. A protective policy may be applied within the borders of any country; barriers may be erected against all the outside world; but the international shipping trade on the sea can not be protected in similar degree. On the sea the fittest is sure to survive. Other things being equal, those who can furnish service at the cheapest price will prevail.

The reasons for the decay of our merchant marine are manifold. The larger cost of ships built in domestic shipyards and the larger cost of operation must be considered. The fact that the shipping industry is one long established and especially suited to the characteristics of other nationalities who are our rivals in over-seas trade is also an important factor. Then there must be taken into consideration the very large class of seamen available in such countries as England and Norway and Germany which is not available in our own country. Still further we must take into account that ours is an undeveloped country. There is none on the face of the earth which presents so many opportunities for enterprise and affords so high a return for capital judiciously invested. The profits of the shipping business are comparatively small, consequently our capitalists have directed their efforts in other directions. I throw out these considerations as important at the very beginning of this discussion, and if the argument shall be prolonged, I may wish to address the Senate again on these particular phases of the subject.

I am aware that the President of the United States is extremely anxious for the passage of this bill. I have for him the very highest personal esteem, and I may say that personally I should be gratified to accede to his wish in any case where I could consistently do so; but I regard this measure as an exceedingly vicious one, and I think the arguments which have been made in its behalf as contained in the messages and documents transmitted to Congress rest upon a misapprehension as to the state of facts.

The importance of the question involved can not be overrated. It is not too much to say that no bill has been before the Congress in the last six years which involves so much that is novel, which involves such revolutionary changes in the fundamental policies of our Government. We have during the life of this administration discussed the tariff, a controversy that is always with us, and perhaps the most vital issue in American politics. The arguments pro and con have been marshaled from every source and in support of every point of view. It is not, like this, a new question, and yet it has never been proposed to even modify our policy regarding it except

after prolonged discussion both in the Congress and among the people.

Another measure which has absorbed the attention of Congress for the last two years has been the Federal reserve act. This was by no means a new proposition. The monetary and banking systems of the country have been discussed at great length for many years. The acute distress created by the financial crisis of 1907 gave new interest and importance to this debate. In the early portion of 1908 a bill was enacted, known as the Aldrich-Vreeland Act, providing for an emergency currency. It was confessedly only a temporary measure. It included, however, certain provisions contemplating a scientific revision of our monetary system. One of its most important provisions was the creation of a monetary commission. That commission, composed of a number of Members of the House and Senate, entered upon an investigation which lasted for nearly four years, during which experts in banking and in economics were called upon to present articles or give testimony. When the question of regional banks and a reform in our currency and financial system was proposed in the Federal reserve act it was by no means a novel question. Indeed, in the bill which was enacted the findings of the Monetary Commission, as embodied in their report of January, 1912, were very largely adopted. But in the proposal of this measure we are asked to depart from the traditional policies of the Government and do what it has never done before and what, with practically insignificant exceptions, no other Government has done, namely, purchase ships and engage in the business of shipping.

Mr. President, it is useless for us to deny that in this proposition, as embodied in the pending measure, a multitude of questions are involved which should receive the careful consideration of the Senate and of the other House of Congress. First among them I mention the question of Government ownership. That is a subject which has been very much discussed during the last 20 or 30 years. So far as municipal ownership and management are concerned, the control or ownership of public utilities does not have the terror to me which it presents to many persons. It is a question of conditions and circumstances.

Public ownership has been tried more or less in other countries of the world. In England the Government owns the telegraph and the telephone facilities; in France the Government, in addition to the telegraph and the telephone lines, owns two railways, one, which it has owned for a considerable time, that from Paris to Orleans, and the other acquired only a comparatively short time ago, the Western Railroad. Belgium, Germany, Austria, and Italy, not to mention Russia and other countries, own, with some slight exceptions, their railroads. It may be maintained, however, on the one side, that conditions in these countries are very radically different from those which prevail in the United States.

Two great questions which are involved in government ownership are, first, Is it best to supersede private initiative and control by public control? and, second, Do the illustrations which are presented to us square with our condition?

Mr. LODGE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Massachusetts?

Mr. BURTON. Certainly.

Mr. LODGE. Does not the ownership of merchant ships by the Government present a series of questions wholly different from those presented by other forms of Government ownership which we have hitherto seen?

Mr. BURTON. I think so. I shall come to that point in a moment.

Mr. LODGE. It is not that I do not think it very important to discuss the effect of Government ownership; but, beyond that, it seems to me that this presents a peculiar condition.

Mr. BURTON. Undoubtedly so. I shall come to that point in a moment.

Another question which is presented is the desirability of part Government ownership and part private ownership. No one expects, unless he indulges in the wildest dreams, that the United States will take over the whole shipping business. Now, how is a proposition of this kind to work out, in which there is constant collision and friction between Government-owned ships and privately owned ships?

Suppose the Government buys a certain number of ships. It will be expected, perhaps, that specially low rates will be given. In that event private shipping will be absolutely driven off any route the Government sees fit to invade, even if it were to invade the most profitable routes. If that is the case, will you not eventually drive private investors entirely out of the business? It is not too much to say that the proposal to pass this bill has already caused such discouragement on the part of

private investors that millions of dollars which otherwise would have been invested in shipping have been withdrawn.

Mr. NORRIS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Nebraska?

Mr. BURTON. I do.

Mr. NORRIS. I wanted to ask the Senator two questions, and perhaps I had better ask them both, now that I have interrupted him.

In regard to taking the initiative where the business becomes profitable, the Senator probably remembers that the President in his message stated the proposition—in which, by the way, I do not concur—that as soon as this business became profitable the Government would get out of it and let the private parties handle it. The other question—

Mr. BURTON. Let me answer that first. There seems to be some confusion in the reports and recommendations on this bill in that regard. In a few minutes I will take up the question as to what this bill means.

Mr. NORRIS. I shall be very glad to hear the Senator on that point.

Mr. BURTON. And I will read extracts from reports and the messages of the President in that regard.

Mr. NORRIS. I might ask the Senator, and he can answer it when he takes it up, assuming for the sake of the argument that it is just and wise for us to pass a bill like this, whether he agrees with the President, that when we develop a trade by means of going into the business we ought to withdraw from the business, and let private parties take it up, after it becomes profitable?

Mr. BURTON. I should, of course, take anything said by the President with the utmost deference, but I do not believe that is practicable and workable. Merely going into the business of shipping for a brief time may possibly have some effect, though I doubt that, in remedying an emergency; but none of the permanent results which are sought by this measure can be accomplished by taking over the business and then, as soon as it becomes profitable, if it ever should, transferring it to private owners. The fact is that if the Government should enter upon the business for a certain time it would demoralize rates, it would prevent investors from entering the business, and it would probably give to shippers impracticable ideas as to the price they ought to pay for the carriage of their freight. If the Government should then withdraw, the effort to build up the mercantile marine would present difficulties far greater than now. If you are seeking to stimulate the building of a privately owned mercantile marine, this will not help. Again, perhaps more immediately in answer to what the Senator from Nebraska asks, I think it is highly undesirable for the Government of the United States to proclaim as a principle that if there is a business that is unprofitable we will take it up, place it on its feet, make it profitable, and then turn it over to private enterprise.

Mr. NORRIS. I agree with the Senator fully.

Now, if the Senator will permit me, I will ask the other question I had in mind and that he caused me to think about when he referred to the railroads in certain countries of Europe that are owned partially by the Government and partially by private enterprise. Has it been true in France or in Germany that because the Government owned some railroads and private individuals or corporations owned others those that were privately owned have been unprofitable or have been driven out of business?

Mr. BURTON. I can not answer that question very fully at this moment. There are perhaps six railway systems in France. The Government has a publicly owned line in competition with one of those six systems—that to Orleans. The western system, which the Government has recently taken over, is complete, and has a monopoly of the field it occupies. Now, results would be very different under those two conditions. In one there is competition with a private line; in the other there is an occupancy of the whole field.

Mr. NORRIS. What has been the effect on the private line?

Mr. BURTON. The one to Orleans is run as a slow line, as a freight line. It does not, in fact, compete with the privately owned line in the higher grades of service. In the case of the western line, the one to Havre and Cherbourg and that part of the country, the Government, as I have said, occupies the field exclusively. It would cause me to digress too much from the argument I have laid out to dwell upon this subject to any extent now, but it is likely that I may do so in the later phases of the discussion.

To recapitulate, I say that it makes a great difference whether the Government line is in competition with the private one or whether each occupies a field exclusively.

Now I come to the third point which was suggested by the Senator from Massachusetts, which is of great importance in this connection. Conceding that Government ownership is a good thing, is this a suitable field for its exercise?

The two fields now occupied by Government ownership, and for which the best arguments can be made, are, first, enterprises which are naturally monopolistic, such as railways, telegraph lines, and, in cities, waterworks and lighting companies; second, activities regarded as closely associated with the moral or social interests of a community. For these lines of activity very plausible arguments can be made; but the argument in favor of a Government-owned shipping line can not be supported by either of these considerations. Ships sail upon the open sea. There is no right of way to be condemned. There is no police power to be exercised; no monopoly can be acquired. The most that can possibly be expected would be a sort of a preponderance of control; so it is not of the class of natural monopolies; nor are there moral considerations, as would be the case with, say, bathhouses or public enterprises undertaken for the social benefit of the people.

So, first, the general question of public ownership should be discussed, next that of partial Government ownership, and then the further question, If Government ownership is a good thing, is this a proper field in which to exercise it?

I wish to anticipate the course of my argument a little by raising a particular question of great importance. Where does the Government of the United States expect to get the ships? In the present season of demand for freight every ship that is available is utilized. Does anyone believe that a ship which can be navigated in accordance with the rules of neutrality and which can be profitably utilized is not made available for private enterprise? Freight rates are high; the profits in many lines are alluring. How is the Government to get its boats? Why, it must do one of two things—it must either buy ships from private owners, who can operate them much more advantageously than the Government; or it must go into the very doubtful field of purchasing interned ships, or ships under a belligerent flag which are now kept off the seas. Do we here in this Chamber wish to pass a bill the upshot of which will be to release for the trans-Atlantic or other trade ships which now, under rules of neutrality, are kept off the seas? Can we afford to take that risk?

It is provided in the bill that the Government may own and operate merchant ships. Becoming disturbed over the status of such vessels under the terms of international law they now bring in an amendment to the effect that these ships shall be regarded as of the same status as privately owned ships. Now, what does that amount to? It is a proposition to do a certain thing, and then, by an amendment, to declare that you are not doing it. There is no way of escaping the conclusion that ships owned by the Government must have a certain peculiar status. A case involving this question which is perhaps the best criterion we have, is found in Mr. James Brown Scott's Cases on International Law—the *Parlement Belge*, decided in the court of appeals of Great Britain in 1878.

Mr. LODGE. May I ask the Senator if Sir Robert Phillimore's opinion in the lower court is given there?

Mr. BURTON. I do not think it is given at length. He rendered an opinion in a lower court, and then the case went to the court of appeals.

Mr. LODGE. I mentioned that because he was overruled by the court of appeals, as I recall, and he was a very great authority.

Mr. BURTON. Yes; he was the author of a work on international law.

Mr. LODGE. And I thought it very important to have his opinion, if he took the other view.

Mr. BURTON. The main object I have in presenting this case now is to show what difference of opinion there has been about the question.

The *Parlement Belge* was a boat which ran between Ostend and Dover, and was owned by King Leopold of Belgium. While on one of its trips it collided with an English ship; and the owners of that ship sought to libel it to recover damages, on the ground that the *Parlement Belge* had been guilty of negligence. The question which was raised before the court was, "Is this a Government steamer? If it is, our courts can not proceed against it. We must give certain preference."

It was found that it was a mail packet, and one of the packets mentioned in article 6 of the convention of the 17th of February, 1876, made between the sovereigns of Great Britain and Belgium; that it was and is the property of His Majesty the King of the Belgians, and in his possession, control, and employ as reigning sovereign of the State, and was and is a public vessel of the sovereign State, carrying His Majesty's

royal pennant, and was navigated and employed by and in the possession of such Government, was officered by officers of the royal Belgian Navy, holding commissions, and so forth; and in certain affidavits, which were not contradicted, that the *Parlement Belge*, besides carrying letters, carried merchandise and passengers and their luggage for hire.

Mr. STONE. What book is it from which the Senator is reading?

Mr. BURTON. Prof. James Brown Scott's Cases on International Law, at page 220. It was decided that the boat could not be held in a collision case; that the carrying of passengers for hire and of freight was merely incidental to its general purpose in carrying mail.

It seems to me the rational conclusion to be derived from a consideration of this question is, first, vessels of war admittedly are free from the right of visit and search. They have an assured preferential position. There is no question about that. Second, a boat which is employed to perform some function of the Government, such as the carrying of mail or the carrying of troops or as a subsidiary to the navy, especially if officered by those in the Government employ, is also entitled to a preferential position. Those engaged in private business pure and simple are not, as was decided by the Supreme Court in a South Carolina case, where an attempt was made, I believe, to relieve the State of South Carolina from the payment of internal-revenue taxes on the liquor in its dispensary or dispensaries. Whenever a State goes outside of its ordinary sphere, its usual activities, and engages in private business, then, and in that case, it is subject to the same taxes and the same governmental control as a private individual.

But in the case presented in this bill there is a twilight zone. I do not think anyone will rise in the Senate and say that a boat owned by the United States, even if it carries nothing but cotton or grain to a foreign shore, is quite in the same position with a private vessel, and that would be sure to lead to complications of the most serious nature.

Mr. NORRIS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Nebraska?

Mr. BURTON. Certainly.

Mr. NORRIS. In asking the Senator these questions for the purpose of getting information I have great respect for his judgment when he has made a study, as he evidently has, of this question. Right on the point he is suggesting I wish to ask him if this bill were enacted into a law and some corporation was organized with Government stock, and they had bought ships or built ships or in any other way had gotten ships, and had engaged in the general business of shipping passengers and goods, does the Senator believe that such a ship would be entitled to any privilege, either as far as right of search is concerned by a belligerent or in any other respect, over any privately owned ship that was admittedly engaged only in business for business purposes?

Mr. BURTON. On the basis of the business which is transacted, I would say no; but it would be impossible to divest any such ship of the peculiar character which it had acquired by belonging to the United States.

Mr. NORRIS. Would not such a ship, for instance, be just the same as a ship now owned by the Panama Railroad Co.?

Mr. BURTON. Those ships occupy a somewhat exceptional position. First, the Government, I believe, owns the Panama Railroad and the Panama Railroad owns these ships. They are somewhat exceptional.

Mr. NORRIS. The Government in that case would own it, I understand, as it owns the stock of the Panama Railroad Co.?

Mr. BURTON. That is a case. However, their ownership grew out of conditions which Senators understand. The Government was proceeding in the building of a great canal. In disposing of the earth that was excavated in the process of building the canal it was necessary to have a railroad. It was also necessary to have ships to perform a direct governmental service, namely, to carry the machinery, materials, and supplies to the Isthmus. It was not going into private business at all. If there was any private business transacted, such as carrying passengers or freight, it was a mere incident to the main purpose. It was purely and entirely a governmental purpose, namely, the construction of an isthmian canal.

Mr. NORRIS. I have no doubt if the Government had not been engaged in digging the canal it would not have bought the stock of the Panama Railroad Co. That was the inducement, perhaps; but whatever the cause, when the Government did buy the stock of a corporation—a corporation organized and existing by virtue of the laws of the State of New York, as I understand it—was not that corporation exactly the same as though the Senator and myself owned the stock instead of the Government,

and was not that corporation subject to be sued, and did it not have a right to sue to collect debts? As a matter of fact, as I understand it, in the operation they went into the general business of carrying passengers and freight and advertised the same as other corporations.

Mr. BURTON. Incidentally, however.

Mr. NORRIS. They carried more freight for the Government than for any other one customer, but that was only incidental.

Mr. BURTON. I am making mention of the status of the Government ships with a view to its bearing on the present condition of war.

Mr. ROOT. Mr. President—

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from New York?

Mr. BURTON. Certainly.

Mr. ROOT. I rose merely to suggest with reference to the question of the Senator from Nebraska [Mr. NORRIS] that the ships which are incident to the Panama Railroad are a domestic concern. They ply between a port of the United States and the Isthmian ports which the United States control as a part of the rights acquired for the construction of the canal. So the practical question which the Senator from Ohio was speaking of can not arise in regard to those vessels.

Mr. NORRIS. I have no doubt, of course; I know, in fact, that what the Senator from New York says is true. These boats are plying between Cristobal at one end of the Panama Canal and New York. But I do not see that that makes any difference as to the identity of the corporation. A private corporation could do that same thing. What I am trying to get at is whether there is any distinction between one corporation and another, because the Government happens to own a part of the capital stock of a corporation provided the articles of incorporation are sufficiently broad to permit the corporation to engage in general business the same as a private enterprise.

Mr. FLETCHER. Mr. President—

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Florida?

Mr. BURTON. Certainly.

Mr. FLETCHER. I was going to suggest to the Senator from Ohio, who has referred to these vessels as having been owned by the United States, that the plan is to form a corporation and vest the title to the ships in the corporation. The United States will not appear as the owner of the vessels, and will not in fact be the owner. The vessels will be owned by a corporation, of which the United States will have 51 per cent of the capital stock or perhaps more, but they will not be United States owned vessels. It seems to me the statement that they are ships of the United States is scarcely accurate under the plan proposed.

Mr. ROOT. Mr. President, I do not want to interrupt the Senator from Ohio or to anticipate, but at the proper time, when I have had an opportunity to read these papers and make such preparation as respect for the Senate permits or requires, I will deal with that subject. I will say now and here what I was going to say upon the observation of the Senator from Nebraska, that these legal fictions which we call incorporations, can be continued to any extent and carried to any refinement under our municipal law. If we only choose to do it, we can provide how suits shall be brought and maintained and defended, what the legal relation shall be of such a corporate entity as compared with its stockholders, the real owners. We can provide for that in our law, but when you pass the international line our law is of no consequence at all. Nations as between each other deal with realities, and that is the great reason why the distinction I suggested a few minutes ago between the Panama steamships and the class of vessels the Senator from Ohio is speaking about is material and substantial. It makes no difference as between two nations whether one nation is interfering with the rights of the other directly or indirectly through the creation of a corporation.

Mr. NORRIS. I do not doubt that. I should like to say—

Mr. BURTON. While the Senator from New York is on his feet I should like to ask him to continue his remarks as to the international aspect of this question, whether such ships be held under a corporate ownership or directly by the Government.

Mr. ROOT. Mr. President, I do not think that internationally there would be any difference at all.

Mr. NORRIS. There ought not to be any.

Mr. ROOT. No; because it is a mere legal fiction, very convenient for the purposes of administration but not a matter of substance.

Mr. NORRIS. There would probably be this difference, I suggest to the Senator. If the Government owned them and

some one wanted to sue the Government, that could not be done under the law.

Mr. ROOT. Yes; and there is another difference.

Mr. NORRIS. And if they take in some money they would not have to turn it over to the Treasury, and when they needed money it would not have to be appropriated by Congress. I understand that is one of the principal reasons.

Mr. ROOT. Yes; but all moneys that are to be expended and dealt with are to be freed from the checks and safeguards which we throw about money of the United States, which is a very material thing in the conduct of business.

There has been, Mr. President, a good deal of trouble in international affairs arising from the fact that some Governments have had the habit of creating corporations, which have had a double effect. When another country has objected to something that they have done, they are mere corporations. When their conduct is to be determined, they are Government agencies.

Mr. NORRIS. Of course that is an unjust discrimination.

Mr. ROOT. The illusive double aspect of corporations which have the appearance of being private parties and are really Government agencies, I say, has made great difficulty in pinning Governments down to the course of conduct which other countries have thought proper, for instance, the question whether a concession to a corporation gives merely a proprietary right as a concession to a private person would do or whether because it is a governmental agency the concession gives political rights. That has been a question of very serious consequence and of great difficulty. But all those cases have arisen where there was created an appearance of a private corporation and it was impossible to get at just the way in which the Government controlled it—just what the Government's share in it was. However, here under this bill there will never be any question whatever. The reality of the thing will be that these will be vessels of the United States.

Mr. NORRIS. If the Senator from Ohio will permit me, I should like to suggest, in reference to what the Senator from New York has said, that it seems to me one of the objects of organizing a corporation either in this bill or in any other, where it was thought desirable to put the Government into business operations, was to free it as much as possible from governmental functions so as to place it entirely upon an equal basis with private individual or privately owned corporations that were engaged in the same business, so that it could sue and be sued, and conduct its business the same way as a private corporation; in other words, to be just the same as an individual or privately owned corporation. It does not seem to me that there would be any excuse for doing it on any other ground. It is to give to the individual citizen a right that he would not possess if the Government was directly engaged in the enterprise, because in that case the individual citizen could not bring a suit, for instance, for damages and he could not deal with it; he would have to get the consent of Congress before he could do something. On the other hand, it is to give to the corporations that the Government owns the right to do business as another corporation, so that it may have the same advantage. For instance, the Panama Railroad Co. expends its money like any other corporation in making improvements, buying ships, employing men, taking in money and paying it out, whereas if the Government were doing it directly in the name of the Government when they took in a quarter they would have to turn it over to the Treasury of the United States, and where they paid a salary or bought a pound of ice they would have to get an appropriation from Congress to do it.

When we resort to the corporation which we organize either under this bill or any other, it ought to be placed, as it seems to me—and it seems to me it is not fair unless it is so placed—upon exactly the same footing as private individuals. If that be true, then it seems to me these ships would be subject and ought to be subject to the same international law that would apply to a ship that might be owned by the Senator from Ohio. Any other result, it seems to me, would be unjust and unfair.

Mr. BURTON. Mr. President, this is anticipating a line of argument which I expect to take up in a later discussion of this measure.

Mr. WEEKS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Massachusetts?

Mr. BURTON. In a moment. I do not believe it is possible to give this corporation the unqualified character of a private corporation. Whether the corporation scheme provided in this bill is convenient or awkward; whether it would not be better for the Government to buy its boats directly, I do not at this time undertake to say; but does anyone think that a ship which belongs to this United States Universal Shipping & Export Co.,

or whatever you may call it, even though it is organized under the laws of Delaware or West Virginia or the District of Columbia, is going to have the same status in international trade under the rules of international law as a privately owned boat?

In this connection I want to call attention to another question which, at least in some States, would arise in attempting corporate management under this bill. How is the Government going to be represented by directors? It is the law of some of the States that a majority of the directors shall be stockholders, not mere proxies for some corporation that owns stock, nor dummies, but actual owners of stock. Other States require that a majority of the directors shall be residents of the State in which the corporation is organized. In this bill you have a provision that the Government shall own 51 per cent of the stock, and that no part of that stock shall be sold except by order of Congress; that the general public shall have the opportunity to subscribe for 49 per cent, and that if the general public shall not subscribe, as I do not believe they will, then the Government takes the remaining stock.

Now, how do you have any stockholders except the Government of the United States? Where are you to get men who are eligible to be directors? This corporation, of course, might be organized here in the District of Columbia. An act might be drawn, I suppose, doing away with the directors entirely or providing that the Government of the United States might select directors. But I suggest that this method of subscribing to the stock would absolutely prevent the election of Government directors in some, and I think in a majority, of the States of the Union. It merely goes to show the awkwardness of this kind of an organization.

Mr. NORRIS. If the Senator will permit me, the bill itself does not provide where this corporation shall be, or anything of that kind; but I would suggest, in answer to the Senator's criticism, that only one corporation is necessary. Perhaps there are States where this kind of a corporation could not under the law be organized. If that is true, it would not be organized there.

Mr. BURTON. If it were an ordinary corporation, it would go to the States most friendly to the incorporator.

Mr. NORRIS. In the Panama Railroad the Government owns all the stock and has some of its officials who are stockholders.

Mr. ROOT. May I ask the Senator from Ohio whether he thinks it is a very dignified position for the Government of the United States to go hunting around the different States of the country to find a place to incorporate where the business is not to be done? I have always considered it rather a serious abuse that the laws of our States permitted people from other parts of the Union to form corporations when they did not really mean to carry on any business there at all. To have the United States go into that, I think is very undignified.

Mr. BURTON. Certainly.

Mr. STONE. Can the Senator point out a serious objection to it?

Mr. BURTON. I raise that question rather as an illustration of the embarrassments of this form of organization.

Mr. NORRIS. Mr. President—

Mr. BURTON. Many States of the Union have corporation laws drawn with such care and strictness that this proposed organization could not be incorporated within their borders.

Mr. NORRIS. I should like to be permitted, if the Senator from Ohio will indulge me, to say just one word in reply to the Senator from New York.

Mr. BURTON. Certainly.

Mr. NORRIS. When we bought the Panama Railroad and all the stock of that corporation, I do not have any idea there were any governmental officials who were very much disgraced hunting around over the country when the stock of that New York corporation was taken up.

Mr. BURTON. That was a corporation already organized. It was the property which the Government had to have.

Mr. NORRIS. Yet it bought the stock, and it had to do it under a New York charter, and it has never found any difficulty under it.

Mr. LA FOLLETTE. Nor any particular disgrace.

Mr. NORRIS. I do not believe anybody has felt as though they were hunting around like a thief in the night when accepting positions under that charter. But if that were all true, if these things were as difficult as the Senator would have us believe, Congress can pass a law at any time to authorize the organization of such a corporation in the District of Columbia, and put in a good many phrases that will make a man feel good rather than embarrassed when he is ready to organize it.

Mr. WEEKS. Mr. President—

Mr. BURTON. I yield to the Senator from Massachusetts. While, of course, I would like to pursue the general thread of the argument I have outlined, this is a sort of preliminary discussion of this very important subject, and I am very willing to yield to inquiries.

Mr. WEEKS. The Senator has been very liberal in yielding, and I have no disposition to take any part of his time except to make the suggestion that the Panama Railway is a special instance in every respect and that from it no general conclusion can be drawn. Its purchase was entirely incidental to the building of the canal, comparable to the purchase of a derrick, for instance, by the Government when engaged in erecting a building. It is to be used for that purpose, and the Government is not going to use the derrick for other purposes. The only purchase which did not come with the Panama Railroad Co. in the case of ships was the purchase of two ships for a specific purpose, the carrying of cement to the Canal Zone, and a special condition was made in that purchase that those ships should be turned over to the Navy Department when their services were no longer required for the purpose for which they were purchased to be used as naval auxiliaries. There is not anything in connection with the operation of steamers in the building of the Panama Canal which could be used as a criterion in fixing what other purchases or operations might involve.

Mr. BURTON. Mr. President, I was dwelling upon some of the questions involved and had taken up the manner in which the Government was to acquire ships. Before leaving that branch of the inquiry I think it is pertinent to ask, Is it intended to buy the great passenger ships that have been interned, some of which are now in New York and Boston Harbors? Is it believed for a minute that it would be profitable to operate those great passenger steamers of the highest speed under the present conditions, when international passenger traffic is almost at a standstill? Or is it believed that these very expensive boats could be profitably remodeled into freight carriers?

The next question is, How is the Government going to use the ships? Are they going to scatter them on every route where commerce now finds an avenue, or are they going to restrict them to certain routes as to South America? If so, what is the status of the present trade with South America, which demands so extraordinary relief? Is it not a fact that there is now available more than enough tonnage to meet the demand?

Mr. GALLINGER. Mr. President, will the Senator yield to me?

Mr. BURTON. Certainly.

Mr. GALLINGER. The Senator suggests that in the present disturbed condition of international trade it is not at all probable that the ships would be profitable. Inasmuch as the genius and skill and enterprise of the private citizens of this country have found it impossible, when normal conditions exist, to operate ships in profitable competition with foreign Governments, is it at all probable that the Government can do it? Is it not an axiom admitted almost universally that it will cost the Government more to do the work than it costs private individuals?

Mr. BURTON. I think that is very generally true.

Mr. GALLINGER. There was of necessity, as Secretary McAdoo admitted before the House committee, at least a strong probability, that this would be a losing matter, and for that reason private capital could not be induced to make any contribution to the purchase of the stock; in fact, the President admitted it in his message to Congress.

Mr. BURTON. In this connection I desire to ask another question which I trust the advocates of this bill will answer. Do you not concede this is going to be a losing venture? Is it not a part of your plan to operate these boats at a loss to the people of the United States? Then, in the first instance, is it fair to the taxpayers of the whole country that they should go down into their pockets for the benefit of those who wish to export or import certain products? Is not that a direct subsidy just as objectionable as those which you have been opposing for years? Indeed, Mr. President, in listening to the arguments made on the other side in favor of this bill and considering what my own course has been on the subject of subsidy, I have felt that I was indeed alone. Most of my party associates on this side have criticized my course, and now on the other side they are using the same arguments, the same old line of chestnuts, if I may call them such, which have been used again and again to support the subsidy cause; "paying two or three hundred million dollars a year to foreign ships to carry our trade." "Foreign shipowners have regard for their stockholders and their profits, we ought to prevent it." "You do not see any ships of the United States in foreign ports except warships and yachts." I have listened to all those argu-

ments often in behalf of subsidy, and then the further argument that "trade follows the flag." Does trade follow the flag or does the flag follow the trade; which? What do you mean by that? It is used sometimes in support of the argument that trade flows back and forth between the mother country and a colony or other dependency.

We heard a great deal about trade following the flag when the question of the acquisition of the Philippines was under consideration. That is one sense in which the term "trade follows the flag" is used. Another is that it follows the flag displayed at the masthead of the merchant craft; that is, for instance, if there are more ships with the English flag from England to Argentina than there are ships from the United States to Argentina carrying the Stars and Stripes, trade will follow the English line. Some time during the course of this discussion I wish to dwell somewhat at length on that saying, not denying that there is a modicum of truth in it; but it is far from a guiding principle in the development of trade.

Why, Mr. President, the arguments made on behalf of this bill are the same that have been made in this Chamber and in the House of Representatives as well for more than 20 years. So far as expense to the American people is concerned, I have no doubt the cost of building up a merchant marine by the provisions of this bill would be far greater than by direct subsidies. So far as discrimination between localities is concerned, the danger of discrimination would be far greater than under present conditions. I would much sooner leave it to the ordinary course of trade to determine what routes vessels shall take than to leave it to officials who, however able they may be, however impartial they may desire to be, are nevertheless constantly subject to political pressure and can not avoid being influenced by party exigencies.

How are you going to use these boats? For instance, there is at present a line running from Mobile to South American ports, but most of the lines run from New York. Suppose you have your Government line and propose to put it in service to South America, what will be the first thing that will happen? Pressure from cities all along the coast for lines from their ports to South America, whether they pay or not. Thus in the long run not only will the expense be far greater than under a subsidy but the discrimination will be far greater.

The next point I wish to take up—and I sincerely hope that these inquiries, which seem to me pertinent, may be answered—is, Is this to be a temporary or a permanent undertaking? I have read the report of the committees and the President's messages, and I can frame no satisfactory answer to that inquiry. On pages 7, 8, 10, 11, 20, and 23 of the majority report are expressions which seem to leave the inference that it is to be permanent, while on pages 4, 9, and 10 there are expressions which seem to indicate that it is to be temporary. Passages from the speech of the very able Senator from Florida [Mr. FLETCHER] made the other day in support of the bill appear contradictory. In a paragraph on page 985 of the CONGRESSIONAL RECORD direct assurance is apparently given that it is to be temporary; but on page 986 there is a sentence which, if I read it correctly, means that it is to be permanent. I will read a few of these expressions, first those indicating that plan is to be temporary. From page 4 of the report I read as follows:

Recent events have made clear to the entire country certain facts which it is the purpose of this legislation to alter. Our great and growing foreign commerce, aggregating over four thousand two hundred and fifty millions yearly, of which our exports form much the larger part, depends for its ocean transportation chiefly upon the merchant marine of the nations which are our own commercial competitors in the markets to which we all sell. By reason of this control by others of our needed transit facilities we are subject alike to their primary interests and to their risks. If, for example, their primary interest calls for them to withdraw ships for purposes of war, the ships are withdrawn, and with them go the facilities we need, and we are without recourse. If the exigencies of war call for destruction by the enemy of one of the powers whose ships we use, that destruction takes place. With the destroyed ships American cargoes go to the bottom. Our commerce is immediately affected, but we again are helpless.

Then it goes on to say:

If the exigencies of war call for the internment in foreign ports of merchant vessels carrying American cargoes under the flag of a belligerent, the ships are interned, and the cargoes they carry, though belonging to Americans, and, as a matter of fact, though paid for by Americans, can not be secured, because the American interest in the cargo is necessarily subordinated to the belligerent interest in the vessel itself. All these conditions have actually existed in recent months, and some of them exist to-day.

It is pretty difficult to tell exactly what inference to draw from that statement in the report. It seems to me the idea predominates that the Government should engage in this business only in time of war and for the purpose of preventing the results of that war.

Mr. NELSON. Mr. President, will the Senator yield to me for a moment?

Mr. BURTON. Yes.

Mr. NELSON. I want to call the Senator's attention to the predicament in which the Government would be in regard to these vessels. Vessels owned by private parties can ship contraband of war if they care to take the risk, but would the vessels of the Government be warranted in doing so?

Mr. BURTON. That would immediately involve this Government in difficulties with one or more of the belligerent powers.

Mr. NELSON. Would the Government be warranted in taking the risk which private ships may take in carrying contraband of war?

Mr. BURTON. Not unless they should make the contention that the articles were not contraband. "Contraband" does not describe articles as to which there is any universally accepted classification.

Mr. NELSON. In connection with that, I wish to call the Senator's attention to the fact that a great many of the products which our people wish to ship abroad are contraband of war, and that privately owned vessels, if they care to take the risk and can get the insurance, can engage in that business.

Mr. BURTON. And without involving us in international complications.

Mr. NELSON. Without so involving us. It is simply a question between them as individuals; but can our own Government engage in that business without becoming involved in complications?

Mr. BURTON. It can not; and the point which the Senator from Minnesota makes on this subject is one which is very important for our consideration.

There is also a quotation on pages 9 and 10 of the report, as follows:

But we can not rest content while over 90 per cent of our foreign commerce is carried under foreign flags, subject to the primary interests which naturally arise under those flags, out of our own control in every respect, and with no limitation on charges save the exactions for profit of stockholders to whom American commerce is but incidental to their own stronger interests.

What does that mean—a permanent or temporary policy? Now, let us look to some expressions in the House report, which is quoted with approval in the Senate report. I read from page 20 of the Senate print:

We are in accord with those who feel that it is better, whenever practicable, for the Government to avoid engaging in any business that can be conducted as a private enterprise. But, as stated, private enterprise has failed to respond to the demands of our over-sea commerce. How much longer must we wait?

That sounds as though it were intended to make it permanent. Again, on page 23, it reads:

While we need merchant ships to meet the present emergency, let us pursue a policy that will secure them to us after the present conflict in Europe is passed.

That looks as if a permanent policy were contemplated.

Now, I wish to refer to some other statements in this report. On page 10 of the majority report—and this seems unequivocal—I find this:

The transportation lines established under this bill will be permanent, regular in their sailings, and controlled for the public good.

After New Year's Day, a date which, according to common report, is often one for change of opinion, habits, and customs, the Senator from Florida expresses himself in this way, on page 984, first column, of the RECORD of January 4:

Without going further into the details of the bill, I assure the Senate, in the first place, and the country, that it is not a permanent business undertaking on the part of the Government that is intended here.

Yet, beginning on the very same page, in the same speech, there is an expression which seems to contradict this again:

Equally it follows, since all other methods have been exhausted or found not feasible, there is but one thing to do, and that is to have the Government intervene directly, as proposed in S. 6856.

A person may read Senate bill 6856, and he will find that there is no indication of any intention to adopt a policy other than a permanent one. If this is not to be a permanent policy, just when is this corporation to be dissolved and these ships to be disposed of? How are you going to gradually go through a transition period from Government ownership by this corporation to one of private ownership?

Mr. JONES. Mr. President—

The PRESIDING OFFICER (Mr. WORKS in the chair). Does the Senator from Ohio yield to the Senator from Washington?

Mr. BURTON. In just one moment I will do so.

Mr. President, just like the proposition for subsidy, the more you have of it the more you will want of it; the more you have of Government ownership the more there will be an insistence that the amount invested be increased and that the

policy be made a permanent one. Thus, it seems to me, that not only a reading of the bill but a reading of the expressions upon it both point to the idea that this is an entirely new departure in the policy of the United States Government, under which it shall do what practically no other Government has done—none, as I recall it, except Russia, in a partial way, and Roumania—that is, to go into the ship business on a large scale.

Mr. JONES. Mr. President—

Mr. BURTON. I yield to the Senator from Washington.

Mr. JONES. It has occurred to me that it ought to be very easy to determine what the Senator from Florida meant, as to whether this should be a permanent or temporary policy. I see that the Senator from Florida is present, and I wonder whether or not the Senator from Ohio will yield to him to make this point perfectly clear and certain?

Mr. BURTON. Just as the Senator from Florida desires. I am perfectly willing that he shall elucidate his position in my time, provided I shall not lose the floor.

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Florida?

Mr. BURTON. I yield to the Senator from Florida.

Mr. FLETCHER. Mr. President, if the Senator desires me to express my own view of that question, I am perfectly willing to do so, but I did not wish to interrupt the logical order of his address by attempting to answer every question that might be propounded by him in connection with this bill. We, of course, expect that there will be an opportunity to reply to the Senator's argument later on.

In this connection I want to call attention to section 7 of the bill itself, which reads as follows:

SEC. 7. That, with the approval of the Congress, such shipping board may at any time sell the stock of such corporation owned by the United States.

In other words, if Congress approves, the stock may be sold and the corporation become entirely a private one. That step is provided for.

There seems to me to be some difference between the transfer of ships or vessels and the transfer of lines or routes of trade. I should feel, so far as I am concerned, that that feature of the matter ought to be permanent. One of the main purposes of the proposed legislation is to open up routes of trade and to establish channels of trade which will become profitable and permanent, so that when the Government retires from this business, if it sees fit to do so, and Congress undertakes to authorize the transfer of the stock of the corporation, the routes established will be permanent, and in any transfer of ships or transfer of the stock of the corporation by the shipping board under the authority of Congress the maintenance of established lines would undoubtedly be involved. That would not mean necessarily that the ships themselves must be directed or controlled as Congress might point out, but that the lines established should remain in operation and, perhaps, likewise that the rates should be maintained, for there will be probably legislation to the effect that the Interstate Commerce Commission shall have control over the rates that may be fixed and jurisdiction over conference agreements between such lines as may take over the corporation or the Government lines and routes and other lines, so as to avoid and prevent monopoly and such a combination as we find to exist now, over which the Government has no control whatever, in our foreign trade.

What the shipping board may determine, what may develop as the wise and proper course to pursue in connection with the ships to be provided, no one can precisely foresee or foretell; that is a matter of growth and development; but I undertake to say that the interest of the Government, the interest of all the people and of the industries of the country, will be looked after by those in control of this corporation.

There are those who seem to think—and I judge from the minority report that is the view of the Senator from Ohio—that, while conditions are rather abnormal now, they are not other than might be expected, and that, in the main, we ought to do nothing; that we ought to let matters work themselves out; that we ought to accept the situation as one not to be cured, not to be remedied in any way whatever; that the Government ought to admit that it is helpless and hopeless; that our commerce must be demoralized; and that our farm products, our vegetables, our fruits, our manufactures, our cotton, our naval stores and phosphate, and other products of this country must weigh down our wharves because there are no ships to take them where they are wanted, or when there are ships that offer the price fixed by the combination in control of shipping it is absolutely prohibitive.

Why must we abide by that helpless condition and consent to it? Why is it that a great Government, with all the power and

resources of this Government, can not help its people under the conditions now prevailing? And, as I have said, even after the present emergency is over we do not know when some other emergency will arise, when some other country whose vessels are now carrying our commerce and upon whose vessels we are now absolutely dependent will get into difficulty and those vessels be withdrawn or be unable to navigate the seas and we again be paralyzed and unable to reach foreign markets with any of our products or to bring the products of foreign markets that we need over to our people.

I say it seems to me that is the view upon which the minority report is founded, and it seems to me the logical conclusion of the Senator's argument is that we are not in any sort of condition other than what ought to be expected and what ought to be endured, and that there is no remedy that can be offered for the situation.

Mr. BURTON. Mr. President, while the Senator is on his feet, along the line of one statement he has made, I should like to ask him if there is any new route which he would suggest that ought to be adopted by Government ships; and if so, where is it?

Mr. FLETCHER. I have not any new route in mind; I have not gone that far; that is a matter of detail to be worked out by the shipping board when they are provided with the means of doing it. There is no use of crossing any bridges until we get to them.

I might say, further, Mr. President, in answer to the Senator's inquiry, that perhaps I am not absolutely accurate when I say that I have no route in mind at all. I, of course, have in a general way, thought about where the routes should extend for the advantage and benefit of this country. I meant to say that I have no specific route in mind; but, as I have indicated, it seems to me that is a matter which must be worked out by the shipping board in whatever way will make for the general good. A route was suggested a few years ago in the report on a bill then pending in the House, and I believe a report submitted at that time by the Senator from New Hampshire [Mr. GALLINGER] involved some specific route. It looks to me as if that is a very reasonable proposition, but I have not gone into that detail at all.

Mr. BURTON. Mr. President, it seems to me a most radical and objectionable step to bring forward for adoption a proposition calling for the expenditure of tens of millions of dollars and the entering upon an untried and dangerous policy, when its advocates can not state a single route over which they propose to establish a line of steamers. It seems to me the Senate and the country ought to be taken into the confidence of the proponents of the measure in this matter. What is this great need? Why are you proposing to establish this corporation and expend this money? On what route in the seas or the ocean do you intend to establish new lines? When such questions are raised it is answered, "We will cross that bridge when we get to it," and the general expression is added, "We do it for the good of the people." Why, everything we do is expected to be for the good of the people, but it seems to me there could be nothing further from the good of the people than to commit ourselves to this new policy and to this great expenditure when nobody will tell us for what purpose it is being done.

The proposals to which the Senator from Florida has partially referred as having been made by the Senator from New Hampshire have no bearing here. Those proposals related to mail lines; and I may say that those who have opposed a subsidy in this body and the other have always felt willing to pay a reasonable price for the establishment of mail lines. To establish mail routes, say, from the west coast of the United States, it is not necessary to name the routes. San Francisco and probably Los Angeles should be stopping places, the line starting from Seattle and proceeding down the coast to Panama, and then to South America, stopping at Guayaquil, Callao, Mollendo, and ports along that coast, including Antofagasta and Valparaiso, is a proposition that appeals to me with a good deal of force. The dividing line should be, What is a subsidy and what is a payment for reasonable service in the carriage of mails? But this bill does not contemplate that. The argument for this measure is the difficulty of obtaining vessels for the carriage of freight. The boats carrying cotton, grain, and similar cargoes are not mail boats; they are not of the type that the Senator from New Hampshire referred to in the proposition which he so strenuously and so ably presented to the Senate.

Mr. GALLINGER. Mr. President—

The PRESIDING OFFICER (Mr. KENYON in the chair). Does the Senator from Ohio yield to the Senator from New Hampshire?

Mr. BURTON. Certainly.

Mr. GALLINGER. It can not be denied that, for the purpose of strengthening this proposed legislation, the view is held out that the Government may at some time go out of this business and turn it over to private parties. That has been advocated with a good deal of earnestness, and it has been given to us as one reason why this bill is not intended to create a Government monopoly or to wipe out individual initiative and enterprise. I want to ask the Senator from Ohio if he recalls the percentage of loss which the Government sustained in the matter of the transports which were purchased during the Spanish-American War?

Mr. BURTON. I do not; I think the loss was rather large. I have an impression—perhaps I ought to have a more definite recollection of the matter—that the Government lost at least 50 per cent on that transaction. I am inclined to think it lost more than that.

Mr. GALLINGER. Yes; more than that. I believe it has been stated as high as 75 per cent.

Now, suppose the Government invests \$30,000,000 in the shipping industry, taking possession practically of the shipping industry of the United States, and after a while concludes—because the Government is going to lose money; there is no doubt about that; it is admitted on all hands—to turn it over to private parties. Is it not reasonable to suppose that the Government will lose from 50 to 75 per cent on the \$30,000,000 transaction it has gone into?

That will entail a loss so much greater than any subsidy proposition that ever has been presented to Congress that it is rather startling to me as an advocate of mail subventions. I simply wanted to present that matter to the Senator for his thought, because I think he will agree with me that we are in for a very heavy loss if we go into this business and then undertake to transfer it to private parties.

Mr. BURTON. I should like to answer that question in connection with some other statements. The Senator from Florida says Congress has the right to direct that this stock shall be sold. Let us see what that would lead to. This line is managed for a certain number of years, confessedly at a loss, according to the statement of those who advocate the bill; according to some of its advocates, justified in order to accomplish a certain purpose. Who is going to buy that stock? Who is going to buy boats that are run at such a loss that the deficiency must be regularly supplied from the Federal Treasury? Who will be the bidders? If there were any bids—and no doubt there would be—they would be presented by men who desired to obtain the ships, the property of the corporation, at a knock-down price. Then, when at great loss to the Government the control passed to private corporations and individuals, what would be accomplished? Why, nothing. A brief season, perhaps, of lower prices, though I doubt it; then rates would return to the level determined by the economic conditions of the trade.

Whether or not Congress would ever vote to sell the stock I do not know, but of one thing I am certain, that the operation of this corporation would be marked by constant loss, and that it would be a perpetual subject of discussion here on the floor of the Senate and on the floor of the House of Representatives.

In regard to the transports mentioned by the Senator from New Hampshire [Mr. GALLINGER], it is true that they were sold at probably less than 50 per cent of their cost; but they were required for a special purpose, and it is perhaps hardly fair to charge up as a general loss the difference between the price paid by the Government and that which it realized on sale. It was rather a part of the cost of transport service which they performed in time of war. Whatever the system of bookkeeping may be, that is the most natural explanation of the transaction.

Mr. FLETCHER. Mr. President—

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Florida?

Mr. BURTON. Certainly.

Mr. FLETCHER. In that connection, also, is it not fair to observe that when we found ourselves without sufficient auxiliaries the Government was obliged to have transports, and have them quickly, and that very likely the people who owned the vessels were in position to take advantage of the situation and demand exorbitant prices for what they had to sell, and the Government, being practically helpless under the circumstances, had to give those prices, and that that situation would obtain to-day under like conditions?

That argument is strong, in that it supports the contention of the advocates of this measure, that that sort of a situation might arise almost at any time, and the Government would be

obliged to suffer great loss, first, because it would have to pay exorbitant prices for transports, and, second, because they would be needed only for a particular service, such as the transporting of troops. We are practically without transports to-day, and under this bill provision will be made for that sort of a situation.

As regards losses in the enterprise, my own view is that at the outset we would sustain losses. We would scarcely expect to open up new routes of trade and make money at the very start; but I do not believe there will be any need of a constant drain on the Treasury to support the shipping board's enterprise. I believe that eventually there will come a time when this business will be profitable. I base that belief very largely not on my own experience at all but on the dividends of shipping people, as publicly declared and published.

Mr. WEEKS. Mr. President, may I ask the Senator from Florida a question which is induced by his optimistic view about the possibility of profits? Does he know of any instance, except in the case of the Prussian governmental railroads, where a government-operated public-service corporation is profitable?

Mr. FLETCHER. I do not mean that the Government ought to undertake to make a vast amount of profit out of the business. I do not think the Government ought to do that, anyhow. If the Government owned the railroads, it should not tax the people to make money. It should afford the people accommodation. If it owned the steamship lines, it should fix the rates at the very lowest price that would maintain the enterprise. It should not make money out of it beyond what would be considered a proper provision for maintenance and reasonable interest on the investment.

Mr. WEEKS. Mr. President, does not the Senator know that in practically every instance an appropriation is required to make up a deficit rather than there being any return whatever on the capital?

Mr. FLETCHER. I imagine, Mr. President, that the figures which are furnished in connection with these government-owned railroads may be used to mean one thing by one individual and something else by another; that it is largely a question of bookkeeping whether they can be held to be profitable or unprofitable, and it is largely a question of the way of keeping the accounts.

If the Government does lose money in the conduct of those railroads, it is because of its bookkeeping manipulation or because of conditions that need not exist at all, in my judgment. The Government could, by regulating and fixing the tariff rates on that business, of course prevent any necessity for great losses. Whether the Government would feel that it had better tax all the people to make up a deficit in connection with the operations of some railroad rather than to raise the freight and passenger tariff is a feature that may enter into the ultimate result of the operation.

I do not think that argument applies at all to a situation like this; that is to say, what the figures show as to the profits or deficits resulting from government operation of railroads in other countries. It seems to me, as I say, that it is so much a question of bookkeeping that it is not a matter that would furnish us any light in connection with this sort of a proposition.

Mr. BURTON. Mr. President, I always dislike to differ emphatically from any of my colleagues whom I respect so highly, especially the Senator from Florida; but if there is any one proposition that seems to me utterly fallacious, from the standpoint of economics or of business, it is the one involved in this bill; namely, that if any agency having control of a business charges exorbitant prices—and that claim is open to discussion, whether they do or do not in this case—the way to cure it is for the Government to go into that business as a partial competitor with them.

It is just that line of argument which prevails in another connection, that where there is one corporation that has control of some public utility or of some business, it is a good plan to give a franchise to another to go into the same business. So we have our duplicated telephone systems, duplicated wiring in every prominent business block, duplicated conduit wires under the streets, duplicated centrals, as they are called, where the messages are received—duplicated service all along the line. Some city council thinks it will be a splendid thing, when there is a gas company or a telephone company or an electric-lighting company that is in control of the field, to put in another and let them compete. The result always is that the public, in the long run, has either to suffer very greatly deteriorated service or to pay interest on both investments, and enjoy only a partial service at the hands of either company.

Not only is this true in regard to public utilities, but it is true in such a case as this. The money put into Government ships would be virtually a waste. It could result only in a duplication or division of available tonnage, without effecting any saving, improving the service, or affording any other economic justification for its existence. What is the result going to be? Probably all private shipping will be driven out of the business. In any event, you have to pay for the increased cost of operation; you inject into the problem this one of Government control, with all its defects and limitations, and when you are through with it you say you are going to sell the ships and reestablish the private enterprises you have just destroyed.

The same objections, in an even greater measure, lie to the Government's undertaking partial performance of this business that lie in the case of partial public ownership of public-service corporations. Now, there is an easier way to control rates. The law gives to the Government power, at least over its own shipping, to establish some such tribunal as the Interstate Commerce Commission. I am perfectly aware that any such plan is fraught with difficulties. It would be almost impossible on the sea to compel the filing of traffic sheets and, whenever changes are filed, giving notice. The differences in the kind of traffic carried, the relation of the tramp steamer to the regular lines—all these present problems very difficult of solution by any commission; and I am not sure that I should favor such a measure, unless there were only a limited degree of control over the general conduct of the business, relating to the fairness and absence of discrimination in traffic combinations, and so forth; but I do especially wish to protest against this idea that the way to bring about lower prices in the carriage of freight or any commodities is for the Government to go into the business.

In the first place, it is an utterly absurd enlargement of the activities of the Government. In the next place, it will not result in economies, because Government operation is always more expensive than private operation. Again, if it is the intention that the Government should manage the business at a loss it will benefit but a few of the people, at the expense of all the people. Why, Mr. President, in the days of the railroad-rate wars, when prices were put down to absurdly low figures in the time of some contest, I say, who believed, or who will assert now, that the general public gained any benefit from it? It was simply the shipper who had the good fortune to take advantage of the situation and ship his goods, say, from New York to Chicago, at a time when rates were very low because of those railroad-rate wars.

The most extravagant anticipation as to Government-owned ships does not contemplate taking them all over. It would be impracticable to put them on all lines; and so, not the general public, but a few favored localities and individuals would gain from such a step.

There is another question in this connection, and I think the advocates of the bill should tell us clearly what is intended in this regard. Is it the object of this measure to provide for the establishment of steamship lines to specific countries, as to South and Central America, or to all parts of the world? This is a question of importance, and I think the Senate should understand it, and I think the advocates of the bill should make clear to us at what they are aiming. Do you intend to put boats on every sea, to establish a line on every route of traffic, or is it merely on some specific lines?

On this question the House report says:

These lines will be projected to ports in Central and South America and elsewhere to increase our mail facilities and to meet the growing demands of our foreign commerce.

The word "elsewhere," of course, has some meaning there. It may include almost anything; but it seems that the object was to make special provision for Central and South America.

The bill as introduced in the Senate, as originally drawn, read as follows:

That the object of such corporation shall be the purchase, construction, equipment, maintenance, and operation of merchant vessels in the trade between the Atlantic, Gulf, or Pacific ports of the United States and the ports of Central and South America and elsewhere to meet the requirements of the foreign commerce of the United States.

The substitute, as introduced last night, reads as follows, after describing the corporation:

Which shall have for its object the purchase, construction, equipment, maintenance, and operation of merchant vessels to meet the requirements of the foreign commerce of the United States.

This is a matter of extreme importance, as I shall try to show. Briefly speaking, if this is an attempt to put ships on all routes, the proposition staggers us because of its magnitude, and it should cause us to oppose it because of its impossibility. Why, there are multitudes of routes in which there must be pro-

vision for freight and passenger traffic from the United States, and I can not conceive of it as a possibility that enough ships could be purchased or built or impressed or obtained in any other way to engage in traffic on all these routes. The difficulty arises at the very beginning that there will be discrimination if you do not; that one locality will be favored in its trade to the detriment of another. Then, on the other horn of the dilemma, if it is to South America, to Central America, to Australasia, to China, or to any other place, are you sure there is a deficiency of shipping now? I think the opponents of this bill might safely challenge those who advocate it to point out any route where it is not a fact either that there is sufficient ocean tonnage already or that there is only a temporary shortage due to the war. Let us have some route where you wish to establish ships.

Strangely, the bill in its final form leaves out all mention of any specific locality in need of shipping. It is simply "to meet the requirements of the foreign commerce of the United States." As I read the message of President Wilson, he had something quite definite in mind. Beginning on page 4 of the message, as printed for the use of Congress, he says:

It is of equal consequence that the nations whom Europe has usually supplied with innumerable articles of manufacture and commerce of which they are in constant need and without which their economic development halts and stands still can now get only a small part of what they formerly imported and eagerly look to us to supply their all but empty markets. This is particularly true of our own neighbors, the States, great and small, of Central and South America. Their lines of trade have hitherto run chiefly athwart the seas, not to our ports but to the ports of Great Britain and of the older continent of Europe. I do not stop to inquire why, or to make any comment on probable causes. What interests us just now is not the explanation but the fact, and our duty and opportunity in the presence of it. Here are markets which we must supply, and we must find the means of action.

On page 6 he says, on resuming this subject:

But I think that you will agree with me that this does not complete the toll of our duty. How are we to carry our goods to the empty markets of which I have spoken if we have not the ships? How are we to build up a great trade if we have not the certain and constant means of transportation upon which all profitable and useful commerce depends? And how are we to get the ships if we wait for the trade to develop without them?

And, again, on page 7:

Therefore I propose another way of providing the means of transportation, which must precede, not tardily follow, the development of our trade with our neighbor States of America.

"The development of our trade with our neighbor States of America!" He does not seem to refer to anything else.

It may seem a reversal of the natural order of things, but it is true that the routes of trade must be actually opened—by many ships and regular sailings and moderate charges—before streams of merchandise will flow freely and profitably through them.

Mr. WEEKS. Mr. President—

The PRESIDING OFFICER (Mr. STERLING in the chair). Does the Senator from Ohio yield to the Senator from Massachusetts?

Mr. BURTON. I do.

Mr. WEEKS. I make the point of order that there is not a quorum present.

The PRESIDING OFFICER. The Secretary will call the roll. The Secretary called the roll, and the following Senators answered to their names:

Borah	Gore	Myers	Smoot
Brady	Gronna	Nelson	Stephenson
Brandegee	Hollis	Norris	Sterling
Bristow	James	O'Gorman	Stone
Burton	Johnson	Page	Sutherland
Camden	Jones	Perkins	Swanson
Chamberlain	Kenyon	Pomerene	Thomas
Clapp	La Follette	Ransdell	Thornton
Clarke, Ark.	Lane	Saulsbury	Townsend
Culberson	Lee, Md.	Shafroth	Weeks
Cummins	Lippitt	Sheppard	White
du Pont	Lodge	Sherman	Williams
Fletcher	McCumber	Smith, Ga.	Works
Gallinger	Martine, N. J.	Smith, Md.	

Mr. TOWNSEND. I announce the absence on important business of the Senate of the senior Senator from Michigan [Mr. SMITH], and state that he is paired on all votes with the junior Senator from Missouri [Mr. REED]. This announcement may stand for the day.

The PRESIDING OFFICER. Fifty-five Senators have answered to their names. There is a quorum present. The Senator from Ohio will proceed.

Mr. BURTON. Mr. President, the natural, I may say the inevitable, inference from the message of the President is that additional ships were required for the trade to South and Central America. Now, two inquiries present themselves: First, is there need of additional ships to South America and Central America? Second, if the intention indicated by the later form of this bill is the true one and it is intended to put boats on all lines, what will be the result?

Mr. President, in the manifold duties of the Executive, I do not think he has had before him proper or accurate data in regard to the facilities for carrying freight to South America. Not only is there an abundant amount of shipping available, but not a boat which has sailed for South America from the port of New York for a year has been able to secure a full cargo;

and, moreover, those sailings have been frequent. I have here a list, carefully prepared, which I will ask to have printed in the Record.

The PRESIDING OFFICER. The Chair hears no objection, and it is so ordered.

The matter referred to is as follows:

List of Prince Line steamers dispatched from New York to Brazil and River Plate from Jan. 1 to Sept. 30, 1914.

Date.	Steamer.	Destination.	Cargo space in ship when leaving New York.	Days loading at New York.
1914.			<i>Cubic feet.</i>	
Jan. 4	Asiatic Prince	Montevideo, La Plata, Buenos Aires, Rosario	84,082	6
21	Welsh Prince	Rio de Janeiro, Santos, Montevideo, La Plata, Buenos Aires	172,500	12
Feb. 1	Eastern Prince	Pernambuco, Bahia, Rio de Janeiro, Santos	91,500	7
11	Japanese Prince	Rio de Janeiro, Santos, Montevideo, Buenos Aires, Rosario	112,500	11
22	Bulgarian Prince ¹	La Plata, Buenos Aires, Rosario	269,250	6
28	Scottish Prince	Pernambuco, Bahia, Rio de Janeiro, Santos	34,125	10
Mar. 20	Portuguese Prince	Rio de Janeiro, Santos, Montevideo, Buenos Aires, Rosario	90,638	13
31	Indian Prince	Pernambuco, Bahia, Rio de Janeiro, Santos	116,250	7
Apr. 18	Hungarian Prince	Rio de Janeiro, Santos, Montevideo, La Plata, Buenos Aires, Rosario	96,000	18
29	Asiatic Prince ¹	Pernambuco, Bahia, Rio de Janeiro, Santos	134,250	6
May 10	Eastern Prince	Rio de Janeiro, Santos, Montevideo, La Plata, Buenos Aires, Rosario	15,000	8
27	Scottish Prince	Pernambuco, Bahia, Rio de Janeiro, Santos	58,725	8
June 10	Ocean Prince	Montevideo, La Plata, Buenos Aires, Rosario	55,500	15
22	Japanese Prince	Rio de Janeiro, Santos, Montevideo, La Plata, Buenos Aires, Rosario	95,025	11
30	Indian Prince	Pernambuco, Bahia, Rio de Janeiro, Santos	97,328	9
July 11	Welsh Prince ¹	Rio de Janeiro, Santos, Montevideo, La Plata, Buenos Aires, Rosario	140,250	11
28	Asiatic Prince	Pernambuco, Bahia, Rio de Janeiro, Santos	49,500	9
Aug. 2	Portuguese Prince ¹	Montevideo, La Plata, Buenos Aires	175,500	11
28	Afghan Prince	Rio de Janeiro, Santos, Montevideo, La Plata, Buenos Aires		22
Sept. 9	Scottish Prince	Pernambuco, Bahia, Rio de Janeiro, Santos	32,250	13
25	Eastern Prince	Pernambuco, Rio de Janeiro, Montevideo, La Plata, Buenos Aires	6,750	13

¹ Completed cargo with coal at Norfolk, Va.

Usual time for loading steamers at New York, 6 to 12 days, according to size.

Steamers dispatched from New York to River Plate, Jan. 1 to Sept. 30, 1914.

Date.	Line.	Steamer.	Destination.
Jan. 4	Prince Line	Asiatic Prince	Montevideo, La Plata, Buenos Aires, Rosario.
10	Lamport & Holt Line	Verdi	Montevideo, Buenos Aires.
17	Houston Lines	Herminius	Montevideo, Buenos Aires, Rosario.
21	Prince Line	Welsh Prince	Montevideo, Buenos Aires, La Plata.
23	Barber & Co.	St. Winifred	Montevideo, La Plata, Buenos Aires.
24	Do.	Sahara	Montevideo, Buenos Aires, Rosario.
24	Lamport & Holt Line	Vasari	Montevideo, La Plata, Buenos Aires.
25	American & Rio Plata Line	Madawaska	Montevideo, La Plata, Buenos Aires, Rosario.
28	Houston Line	Honorius	Montevideo, La Plata, Buenos Aires.
31	Norton Line	Siam	Montevideo, Buenos Aires, Rosario.
	(10 steamers.)		
Feb. 2	Standard Oil Co.	Woodfield	La Plata, Bahia Blanca.
5	New York & South America Line	Charlton Hall	Bahia Blanca.
7	Lamport & Holt Line	Vauban	Montevideo, Buenos Aires.
11	Prince Line	Japanese Prince	Montevideo, Buenos Aires, Rosario.
12	Barber & Co.	Ardoyne	Montevideo, La Plata, Buenos Aires, Rosario.
12	West Coast Line	Bellgrano	Bahia Blanca.
18	Houston Line	Harmonides	Montevideo, Buenos Aires, Rosario.
21	Lamport & Holt Line	Tennyson	Montevideo, Buenos Aires.
22	New York & South America Line	Crofton Hall	Bahia Blanca.
22	Prince Line	Bulgarian Prince	La Plata, Buenos Aires, Rosario.
25	American & Rio Plata Line	Queen Helena	Montevideo, La Plata, Buenos Aires, Rosario.
28	Norton Line	Bantu	Montevideo, Buenos Aires, Rosario.
	(12 steamers.)		
Mar. 5	Houston Line	Hortensius	Montevideo, La Plata, Buenos Aires, Rosario.
7	Lamport & Holt Line	Vandyck	Montevideo, Buenos Aires.
10	Barber & Co.	Ascuncion de Larringa	Montevideo, Buenos Aires, La Plata, Rosario.
12	Merchants Line	Cacique	Bahia Blanca.
17	Lamport & Holt Line	Zinal	Rosario.
19	Houston Line	Hermione	Montevideo, Buenos Aires, Rosario.
20	Prince Line	Portuguese Prince	Do.
21	Lamport & Holt Line	Byron	Montevideo, Buenos Aires.
26	Norton Line	Industry	Montevideo, Buenos Aires, Rosario.
	(9 steamers.)		
Apr. 1	Houston Line	Hesione	Montevideo, Buenos Aires.
5	Lamport & Holt Line	Vestris	Do.
5	Barber & Co.	Vellere	Montevideo, La Plata, Buenos Aires.
9	Lamport & Holt Line	Highland Heather	Buenos Aires.
10	Standard Oil Co.	Calliope	Ibiciuy, La Plata.
10	West India Oil Co.	Evangel	Rosario.
13	America & Rio Plata Line	Whitgift	Montevideo, Buenos Aires, Rosario.
14	New York & South America Line	Howick Hall	Bahia Blanca.
16	Houston Line	Honorius	Montevideo, Buenos Aires, Rosario.
16	Barber & Co.	Kelvinbank	Montevideo, La Plata, Buenos Aires.
17	do.	Potomac	Montevideo.
18	Lamport & Holt Line	Highland Laird	Rosario.
18	Prince Line	Hungarian Prince	Montevideo, La Plata, Buenos Aires.
20	Norton Line	Ikaria	Montevideo, Buenos Aires, Rosario, Santa Fe.
29	Barber & Co.	Singapore	La Plata, Buenos Aires, Rosario, Santa Fe.
	(15 steamers.)		
May 1	Houston Line	Hyanthes	Montevideo, La Plata, Buenos Aires, Rosario.
3	Merchants Line	Chareas	Bahia Blanca.
9	Lamport & Holt Line	Vauban	Montevideo, Buenos Aires.
9	do.	Highland Harris	Do.
10	Prince Line	Eastern Prince	Montevideo, La Plata, Buenos Aires.
15	Houston Line	Honorius	Montevideo, La Plata, Buenos Aires, Rosario.
15	Lamport & Holt Line	Tennyson	Montevideo, Buenos Aires, Rosario.
16	America Rio Plata Line	Shirley	Do.
16	Standard Oil Co.	Amicus	La Plata, Rosario.
17	Barber & Co.	Domingo de Larringa	Montevideo, La Plata, Buenos Aires.

Steamers dispatched from New York to River Plate, Jan. 1 to Sept. 30, 1914—Continued.

Date.	Line.	Steamer.	Destination.
May 21	Houston Line.....	Harmonides.....	Montevideo, Buenos Aires.
26	Norton Line.....	Siam.....	Montevideo, Buenos Aires, Rosario.
28	New York & South America Line.....	Foxton Hall.....	Bahia Blanca.
30	Lampport & Holt Line.....	Vandyck.....	Montevideo, Buenos Aires.
	(14 steamers.)		
June 8	Lampport & Holt Line.....	Highland Watch.....	Buenos Aires.
9	Barber & Co.....	Anselma de Larringa.....	Montevideo, La Plata, Buenos Aires.
10	Prince Line.....	Ocean Prince.....	Montevideo, La Plata, Buenos Aires, Rosario.
13	Lampport & Holt Line.....	Byron.....	Montevideo, Buenos Aires.
13	Houston Line.....	Herminius.....	Montevideo, La Plata, Buenos Aires, Rosario.
22	Prince Line.....	Japanese Prince.....	Do.
25	Barber & Co.....	Kelvindale.....	Montevideo, La Plata, Buenos Aires.
26	Standard Oil Co.....	Bergenhus.....	La Plata, Santa Fe.
26	New York & South America Line.....	Crasterhall.....	Bahia Blanca.
27	Lampport & Holt Line.....	Vestris.....	Montevideo, Buenos Aires.
	(10 steamers.)		
July 1	Houston Line.....	Hermione.....	Montevideo, La Plata, Buenos Aires, Rosario.
4	America & Rio Plata Line.....	Comeric.....	Do.
6	Norton Line.....	San Francisco.....	Montevideo, Buenos Aires, Rosario.
11	Prince Line.....	Welsh Prince.....	Montevideo, La Plata, Buenos Aires, Rosario.
15	Houston Line.....	Heslons.....	Montevideo, La Plata, Buenos Aires.
24	Barber & Co.....	Kelvinbank.....	Montevideo, Buenos Aires, Rosario.
25	Lampport & Holt Line.....	Vauban.....	Montevideo, Buenos Aires.
29	Houston Line.....	Harmodius.....	Montevideo, La Plata, Buenos Aires.
30	New York & South America Line.....	Charlton Hall.....	Bahia Blanca.
	(9 steamers.)		
Aug. 2	Prince Line.....	Portuguese Prince.....	Montevideo, La Plata, Buenos Aires.
6	New York & South America Line.....	Lorenzo.....	Buenos Aires.
6	do.....	Berwind.....	Do.
10	America & Rio Plata Line.....	Bramley.....	Montevideo, Buenos Aires, Rosario.
13	Lampport & Holt Line.....	Tennyson.....	Montevideo, Buenos Aires.
28	Prince Line.....	Afghan Prince.....	Montevideo, La Plata, Buenos Aires.
	(6 steamers.)		
Sept. 2	Barber & Co.....	Dochra.....	Montevideo, La Plata, Buenos Aires, Rosario.
3	Lampport & Holt Line.....	Vandyck.....	Montevideo, Buenos Aires.
5	Houston Line.....	Hilarius.....	Montevideo, La Plata, Buenos Aires.
12	do.....	Horatius.....	Rosario, Santa Fe.
16	Norton Line.....	Bantu.....	Montevideo, Buenos Aires, Rosario.
16	Lampport & Holt Line.....	Zinal.....	Montevideo, Buenos Aires.
17	Houlder, Weir & Boyd.....	Drumcliffe.....	Montevideo, La Plata, Buenos Aires.
19	Norton Line.....	Industry.....	Bahia Blanca, Buenos Aires.
21	Barber & Co.....	Ardoyne.....	La Plata, Buenos Aires.
24	Lampport & Holt Line.....	Byron.....	Montevideo and Buenos Aires.
25	Prince Line.....	Eastern Prince.....	Montevideo, La Plata, Buenos Aires, Rosario.
29	Houston Line.....	Hellenes.....	Montevideo, La Plata, Buenos Aires.
	(11 steamers.)		

SUMMARY.

Steamers dispatched in January.....	10
Steamers dispatched in February.....	12
Steamers dispatched in March.....	9
Steamers dispatched in April.....	15
Steamers dispatched in May.....	14
Steamers dispatched in June.....	10
Steamers dispatched in July.....	9
Steamers dispatched in August.....	6
Steamers dispatched in September.....	11
Total steamers in 9 months.....	96
Average steamers per month.....	10

Mr. BURTON. There has been a good deal of misapprehension and misinformation regarding our trade with South America. There is an equally erroneous impression that there are empty markets in that part of the world. What is the fact about this? Even before the war a certain degree of financial distress existed in several of the leading countries of South America, notably Brazil, and probably to a less degree in Argentina. Their buying capacity was very much diminished. With the advent of the war, however, a real crisis intervened. A large share of the capital of the banks of Brazil and Argentina is owned in foreign countries, in countries engaged in the present colossal conflict. Immediately specie was removed, the means of credit were withdrawn.

An illustration frequently makes conditions clearer than a long statement of general facts. A merchant in Brazil contracted for 200,000 sacks of flour. The flour was carried to New York, was placed in the warehouses, and a boat was waiting in the harbor to take it to South America. When everything was ready for its shipment there arose practically a revolution in exchanges with Brazil and with credit conditions affecting that country. The usual manner of payment for American products shipped to South America is of this general nature: The invoice is presented to a bank and a bill is drawn for the amount represented by the goods enumerated in that invoice. A cablegram is sent to Rio Janeiro, we will say, and a bank there accepts the bill of exchange. Then the freight is paid in advance and the shipment proceeds on its way. I may say in passing that the rule which provides for the payment of freight in advance for South American shipments does not prevail in shipments to Europe. There the advance payment is not required.

In this particular case the bank, because of its diminished resources or its embarrassment, refused to accept the draft.

They probably felt they could not be sure of meeting it when presented. The prospective buyer sent a cablegram, "I will accept that draft," but just at that time Brazil had undertaken the issuance of a very considerable amount of paper money. The buyer proposed that the seller be paid in six months. But the seller was not, in the first instance, sure of the solvency of the buyer, and, in the second instance, he did not feel sure but that at the end of six months payment would be made in a depreciated currency. Therefore he refused to ship the flour. Meantime the story has been circulated that the shipment was held up because of a lack of ships. But, in fact, there were plenty of ships in the harbor to carry not only that consignment but many more.

Let me call attention briefly to this table I have had inserted in the RECORD. First is a list of Prince Line steamers dispatched from New York to Brazil and River Plate from January 1 to September 30, 1914.

January 4 the *Asiatic Prince*, to Montevideo, La Plata, Buenos Aires, and Rosario, six days loading at New York. How much space did she have available for carrying freight which was not utilized? Eighty-four thousand and eighty-two cubic feet. Roughly speaking, 40 cubic feet are sufficient for carrying 1 ton of freight. She had the capacity to carry a little over 2,000 tons in addition to the load with which she left the port of New York.

Mr. LIPPITT. What was the dead-weight?

Mr. BURTON. From about six to ten thousand tons dead-weight carrying capacity, nearer probably to the minimum of 6,000 than to the maximum of 10,000.

Mr. LIPPITT. Do I understand the Senator to mean to imply that the vessel had from 25 to 30 per cent of her capacity unoccupied?

Mr. BURTON. Yes; that is correct.

January 21, *Welsh Prince*, to Rio Janeiro, Santos, Montevideo, La Plata, and Buenos Aires, carrying space available when leaving New York, 172,500 cubic feet—capacity for 4,300 tons—for which there was no demand.

Passing a shipment February 1, there was one February 11, the *Japanese Prince*, that had 112,500 cubic feet, or a capacity to carry something over 2,500 tons, for which there was no demand.

On February 22 the *Bulgarian Prince* left port with 269,250 cubic feet not filled, or with space to carry something over 6,500 tons, considerably more than half her capacity, for which there was no demand. This approximated an empty boat. In this case instead of coaling at New York she proceeded to Norfolk to take on coal. That is perhaps the largest amount of empty space on any boat during the year.

On May 31 a boat went out with empty carrying space of 116,250 cubic feet; on April 29, 134,250; on July 11, 140,250, or something over 3,500 tons. In the last case mentioned she went to Norfolk to take on coal.

Then, August 2, there was the *Portuguese Prince*, with 175,500 feet of cubic space, or a capacity for nearly 4,500 tons. This boat also went to Norfolk.

I have also a list of steamers dispatched from New York to the River Plate, January 1 to September 30, 1914. It appears there were 10 steamers in January, 12 in February, 9 in March, 15 in April, 14 in May, 10 in June, 9 in July, 6 in August, and 11 in September; total in nine months, 96 steamers; an average of 10 steamers per month.

Mr. ROOT. That was in 1914?

Mr. BURTON. In 1914. The table is brought down to two months after the beginning of the war. If there was any decrease in the months of August and September, and it is to be noted that the number of steamers in September was 11, 1 above the average, it was due to the breakdown of credit and the diminished purchasing capacity of those countries.

Mr. LIPPITT. Before the Senator leaves that point, I should like to know if he can state whether those were tramp steamers or steamers of regular lines.

Mr. BURTON. They can not accurately be classified under either head. The Lamport & Holt Line did send a boat every week. Now it sends a boat about every month. That is a regular line. But these vessels are not exactly either tramp steamers or steamers of regular lines. They are between the two. I will come to that point later.

Now let us take up the question of sending boats to all parts of the world, which seems to be contemplated by the bill as it appears in the amended form introduced yesterday. Mr. President, that overlooks the vital point in the shipping trade. It is impossible to make any material impression upon freight rates or freight tonnage if a certain number of boats go out over scattered routes in all directions.

A great deal has been said about conference agreements, by which one company sends out a boat one week, another company sends a boat another week, a third line on the third week, and a fourth line on the fourth week, and it is said that this indicates at least a general agreement and that it is contrary to the antitrust law. If we consider this subject, we must realize that the shipping trade can be carried on in no other way, whether there be but one line or many distinct lines. Suppose, for instance, there is a port, such as New York, from which freight to the amount of a thousand tons a day is shipped to Rio de Janeiro, and there are 10 boats available for that business, each carrying 10,000 tons. Now, suppose the Government goes into the business with a separate line, and you say that the others must not agree as to sailing dates, what will happen? Each boat will be bidding for that 1,000 tons of freight per day and getting perhaps 100 tons of it. If there are 10 boats, they will all have to remain in port 100 days before they can go out.

Mr. ROOT. Before they can be loaded.

Mr. BURTON. Before they can be loaded to go out. Now, suppose you put 1 Government boat in competition with these 10 boats, what happens? It must wait around an indefinite length of time for a load. It must be uncertain in the date of its sailings and must subject shippers and others interested therein to great loss in the delays incurred. The question arises at the very outset, What is the Government going to do with this line? Is it going into these conference agreements?

According to the testimony taken before the Merchant Marine and Fisheries Committee, the Government has already entered into this conference agreement and conformed its methods to the general custom of the trade.

Now, let us consider another phase of this question. Is the Government going to put its boats on the lines or routes to the countries of Europe which are now at war? Mr. President, I frequently believe we do not appreciate how serious this war really is. It is the most frightful conflict in the world's history. Is it conceivable that such a conflict should progress without utterly demoralizing all the routes of trade? Not only is there a general demoralization of international trade conditions but navigable routes are strewn with mines. These are planted with the greatest abundance near the entrance to ports and harbors. The English Government, I understand, has declared the North Sea *mare clausum*, a closed sea, and has warned shippers that they enter it at their peril. There is the danger of detention, in the first place, by an exercise of the right of seizure and search, the danger of confiscation of the cargo by the boat being taken into the belligerent country and condemned by a prize court. There is even danger that the boat itself may be confiscated. All these constitute dangers that are entirely unprecedented. Then, in addition, there are other features which cause delay and increased cost. The harbors of the belligerents are congested with their own boats, some of which do not dare to go to sea. The greater share of the men who handle the cargoes have gone into the army; most of the artisans who make the necessary repairs which almost every boat requires when it is in port also have enlisted in the army.

Then you can add still another fact to all this, that the Governments involved in the war demand that their ships shall have first access to the wharves and the first use of men for loading and unloading and for making repairs. Instances have occurred in which boats have been detained as long as 60 days in a foreign port. I want to read a paragraph which appeared in yesterday morning's Washington Post, and I assume is an Associated Press dispatch.

In this connection I want to call attention to the fact that a few days ago it was reported that a Danish ship, loaded with cotton, going into the North Sea was blown up by a mine. The article is as follows:

SHIP RUNS MINE FIELD—AMERICAN SKIPPER MAKES BREMEN WHEN PILOTS DODGE RISK—DELIVERS CARGO OF COTTON—CAPT. PINCHIN DETERMINES TO TAKE HIS VESSEL ON LAST LEG OF VOYAGE FROM GALVESTON DESPITE REFUSAL OF DUTCH NAVIGATORS TO ESSAY PASSAGE AND LACK OF MINE CHARTS.

BREMEN (via The Hague and London), January 5.

Owing to the daring of an American skipper, the steamer *El Monte*, which sailed from Galveston, Tex., December 3, and New York, December 11, arrived at Bremen on January 1. The *El Monte* brought more than 6,000 bales of cotton, the first to reach this port during the war. She was the first American merchantman to visit Bremen in 40 years.

Capt. Edward T. Pinchin, of the *El Monte*, after the voyage across the Atlantic, took on a British pilot at Deal, as England does not class cotton as contraband, but, fearing the pilot would be interned if he entered German waters, the captain dropped him at the Hook of Holland.

That is right off Rotterdam, I understand.

At the hook Dutch pilots refused to assist the American skipper, saying it was impossible on account of mines to make the trip.

Capt. Pinchin was determined to go on, saying he would take his ship to her destination or know the reason why.

Accordingly he proceeded without a pilot, picking his own course without mine charts or other aid. He made his way to Bremen, greatly to the amazement of the Germans, who were much interested in his adventure.

That man ought to have a Carnegie medal for supreme heroism. Just see what confronted him. Dutch pilots would not undertake to handle his ship when he reached Rotterdam. They said that owing to the numerous mines they would not take the risk of making the trip.

Now, suppose the Government buys ships. Will these foreign Governments say, "We will clear the passageway; we will remove the mines"? Are pilots going to say, "This ship is owned by a Government corporation, and we will undertake to steer her through the dangerous passage"? How are you going to remedy the situation? We may ask the question, Why should this be so? But the answer is that it is a condition, not a theory, which we confront, and a condition which could not in the least degree be remedied by Government ownership.

Mariners who navigate merchant vessels, even those on battleships, have not been accustomed to piloting their craft over portions of the sea strewn with mines which they are liable to strike at any moment, and which will destroy their ship, send the cargo to the bottom, and perhaps send them into eternity.

There is a great deal of talk about this matter of freight rates, and their altitude, which is based upon either an altogether superficial survey of the situation or an absolute ignorance of essential facts.

I wish to call attention to a very singular fact: The rates to distant portions of the earth, such as Hongkong, Colombo, and to the most remote ports of South America, are now much lower

proportionately than they are from New York to Liverpool or from New Orleans to Liverpool. This is in line with what I have been saying. It is not due for the most part to scarcity of shipping, for ships are available; but it is due to the mortal dread of traversing the mined zone. With the consent of the Senate I will insert a memorandum of rates to the River Plate, to India, to the Far East, and to South Africa.

The PRESIDENT pro tempore. Without objection, the request will be granted.

The matter referred to is as follows:

Memorandum of rates to River Plate.

	General merchandise.		Soft lumber.	
	Before war.	After war.	Before war.	After war.
Montevideo.....	\$5.50	\$8.12	\$4.20	\$5.25
Buenos Aires.....				
Rosario.....	8.10	9.72	5.40	6.75
Bahia Blanca.....				

	Hardwoods.		Rosin.		Shooks.	
	Before war.	After war.	Before war.	After war.	Before war.	After war.
Montevideo.....	\$6.40	\$8.00	\$8.00	\$10.00	\$4.00	\$5.00
Buenos Aires.....						
Rosario.....	7.60	9.50	10.00	13.12	5.60	7.00
Bahia Blanca.....						

¹ Per 2,240 pounds.

We are protecting shippers at old rates on orders which had been secured prior to the war, provided they had notified us of same at time hostilities commenced.

Memorandum of rates to India.

	General merchandise.		Bale domestics.		Rough goods.	
	Before war.	After war.	Before war.	After war.	Before war.	After war.
Karachi.....	s. d. 30 0	s. d. 36 0	s. d. 22 6	s. d. 27 0	s. d. 21 6	s. d. 23 8
Bombay.....	27 6	33 0	20 0	24 0	21 6	23 8
Colombo.....	35 0	42 0	25 0	30 0	19 3	24 0
Calcutta.....	30 0	36 0	20 0	24 0	21 6	23 8

Memorandum of rates to Far East.

	General merchandise.		Bale domestics.		Rough goods.	
	Before war.	After war.	Before war.	After war.	Before war.	After war.
Singapore.....	s. d. 40 0	s. d. 44 0	s. d. 40 0	s. d. 44 0	s. d. 27 6	s. d. 30 0
Manila.....	\$10.00	\$11.00	\$9.75	\$10.72	27 6	30 0
Hong Kong.....	s. d. 40 0	s. d. 44 0	1.60	1.66	27 6	30 0
Shanghai.....	42 6	46 9	1.50	1.55	27 6	30 0
Kobe.....	40 0	44 0	1.60	1.66	27 6	30 0
Yokohama.....	40 0	44 0	1.60	1.66	27 6	30 0

¹ Per hundredweight.

South African rates.

[Cape Town basis.]

s. d.	PER HUNDREDWEIGHT.	s. d.
46 6 plus 25 per cent.....	FINE CARGO.	58 2
46 6 plus 20 per cent.....		55 10
46 6 plus 15 per cent.....		53 7
34 9 plus 25 per cent.....	GENERAL CARGO.	43 5
34 9 plus 20 per cent.....		41 8
34 9 plus 15 per cent.....		39 10
22 9 plus 25 per cent.....	ROUGH CARGO.	28 5
22 9 plus 20 per cent.....		27 4
22 9 plus 15 per cent.....		26 1

The above represent the rates at the beginning of the war and later.

Mr. BURTON. It appears that there has been some increase of rates, for instance, on general merchandise. Before the war the rate to Montevideo and Buenos Aires—it is the same to both cities—was \$6.50 per ton; since the war it has been \$8.12 per ton. To Rosario, Bahia, and Blanca it was \$8.10 before the war,

and it has been \$9.72 since. Here is an increase in one case of, say, 25 per cent, and in another 20 per cent, which is by no means an unusual increase in times of profound peace, and in the present troubled situation the danger of seizure is an adequate explanation.

Why, one boat of the Lamport & Holt Line, the *Vandyke*, on the route from Rio Janeiro to New York, was captured by a German cruiser, and I believe there is yet doubt as to whether or not she was sunk. In any event, her passengers were taken off. That illustrates the reason for an increase of rates even in going down to South America, where the increase has been only 25 per cent. With a little more elaboration I shall seek to take up at another time, when I have more carefully compared the figures, the relative rates to Bombay, Colombo, Calcutta, Singapore, and other cities that I have mentioned, and those to ports in Europe now involved in war.

What is one main reason why there are not more boats available for charters to England, to France, and to the countries where greater obstructions exist, such as Germany and Austria-Hungary? It is easily explained in accordance with business principles readily understood. Great fleets of boats have been engaged in the trade to all the outlying countries. I will read a brief list. To Brazil, under normal conditions, there are six steamers each month. The lines include the Prince Line, the Lamport & Holt Line, the Funch Line, controlled by Funch, Edye & Co., and the United States & Brazil Steamship Corporation.

To the river Plata there is the Houston Line, the Barber Line, the Prince Line, and the Norton Line.

To China and Japan, and also to India, there is the Ellerman-Bucknall Line, one of the largest in the world; the United States, China & Japan Line; the Barber Line; the Houlder, Weir & Boyd Line; the Prince Line; Rankin, Gilmore & Co.; and the Mogul Steamship Co.

Most of these lines, perhaps, are controlled or owned by English owners, but the agents, nevertheless, are Americans or those living in this country—I do not say they are all naturalized, but most of them are—who themselves control the rates.

I think a grave mistake is made when it is contended that these boats are controlled in the interest of foreign countries. They are controlled, just as all other business is controlled, for the sake of profit and for the sake of getting freight. The idea that they first find out whether they can get a profitable cargo abroad, and that only when it is refused do they come to America, is altogether erroneous, because they are running on routes from New York and other cities in this country to South America, India, China, Australasia, and so forth. With the consent of the Senate, I shall insert this list in the Record.

The PRESIDENT pro tempore. Permission is granted, unless there is objection. The Chair hears none.

The list referred to is as follows:

The owners or agents of steamship lines trading to South America (Brazil) are Prince Line; Lamport & Holt; Funch, Edye & Co.; United States & Brazil Steamship Corporation.

To the river Plata: Houston Line, Barber Line, Prince Line, Norton Line.

To China and Japan, also India: Ellerman-Bucknall (English), one of the largest in the world; United States, China & Japan Line; Barber Line; Houlder, Weir & Boyd (English); Prince Line; Barber Line, made of Lancashire Shipping Co.; Rankin, Gilmore & Co.; Mogul Steamship Co.

South Africa: Union-Castle; Ellerman-Bucknall; Cayser-Irvine & Co.; Prince Line; and Houston Line.

Australia: United States & Australasia Steamship Co. (American); Ellerman-Bucknall; New Zealand Steamship Co.

India: Ellerman-Bucknall.

Mr. BURTON. There is a very queer term applied to these boats; it is not found in any of the lexicons, but it is a colloquial term which is quite expressive. They are called "glorified tramps"; that is, they are a type of boat that naturally would be classified as tramps, seeking all over the world for a cargo in any direction, going to South America on one trip and to the farthest point of Asia on another; but these boats, which may be said to have been tramps a few years ago, have now become part of an established route of trade. So they approximate the status of regular lines, and they are termed "glorified."

The owners of these boats do not wish to withdraw them from the lines in which they are now engaged in trade. Why? First, because they have their contracts; they have their established lines of custom; and if they should withdraw from these routes and carry cotton or grain to Europe there would be a lapse in the trade to these other countries. Consequently they prefer those lines operated so as to follow the routes in which they have been engaged for some time past.

Another thing: I fancy they do not anticipate that this war will last indefinitely; at any rate, they expect that it will end sooner or later. That is one great explanation of this situation.

It is true that the German boats have been withdrawn from the trade. But let us look at that proposition a moment. The foreign trade of Germany bears just about the same proportion to the trade of the world as their shipping does to the shipping of the world. Their exports and imports have been almost absolutely cut off—at least those going across the seas. So the internment of their ships does not very materially change the situation. The same is no doubt true of the Austro-Hungarian situation.

We come then to another factor in the situation, which does no doubt diminish the number, and that is the requisition of boats by the English and French Governments—particularly by the English Government. These vessels are thus withdrawn from business. The carriage of some classes of freight has been very greatly increased during this war, while the carriage of other classes has been very materially diminished. When the general result is balanced it is on the side of diminished traffic, but it is probable that the English and French boats withdrawn for military or naval purposes form a larger proportion of their shipping than the diminished exports. That, of course, affects the situation and, naturally, tends to raise the rate, which is one feature of the present situation.

But we come to this inquiry repeatedly: How is a Government line or a Government corporation, with all their red tape and delay, going to help us? Are they going to improve on the condition as it exists just now? Had we better not leave it to the ordinary agencies of trade? It is a delusion that a Government corporation or any other untried agency can enter any line of human activity and do better than can those who for long years have been trained in the business.

Mr. SMITH of Maryland. Mr. President, will the Senator from Ohio allow me to interrupt him?

The PRESIDENT pro tempore. Does the Senator from Ohio yield to the Senator from Maryland?

Mr. BURTON. Certainly.

Mr. SMITH of Maryland. I am very anxious to bring up for consideration the District appropriation bill. It is a very important bill, and if the Senator from Ohio will allow it to be brought up at this time I shall be very grateful.

Mr. BURTON. I can continue my remarks conveniently at another time, and I have no objection to the Senator's request.

Mr. FLETCHER. Mr. President, I very much regret to have the Senate discontinue the consideration of the pending bill at the present time, but I know that it is important to dispose of the appropriation bills. Under the circumstances I will therefore ask unanimous consent to lay the unfinished business aside temporarily.

The PRESIDENT pro tempore. The Senator from Florida asks unanimous consent to temporarily lay aside the pending bill. Is there objection? The Chair hears none.

DISTRICT OF COLUMBIA APPROPRIATIONS.

Mr. SMITH of Maryland. I ask unanimous consent that the Senate proceed to the consideration of the District of Columbia appropriation bill.

Mr. OVERMAN. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Senator from North Carolina suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hitchcock	Overman	Smoot
Bankhead	Hollis	Page	Stephenson
Bristow	Hughes	Perkins	Sterling
Burton	Jones	Pittman	Stone
Camden	Kenyon	Pomerene	Sutherland
Chamberlain	La Follette	Ransdell	Swanson
Clapp	Lane	Reed	Thomas
Clarke, Ark.	Lippitt	Robinson	Thompson
Cummins	Lodge	Root	Thornton
Fletcher	McCumber	Saulsbury	Tillman
Gallinger	Martine, N. J.	Shafroth	Weeks
Gore	Nelson	Sherman	Williams
Gronna	Norris	Smith, Md.	Works.

Mr. HITCHCOCK. I desire to say on behalf of myself and other members of the Philippines Committee that there have been several calls for a quorum which the members of the committee have not answered, because an important hearing has been proceeding on previous days and is being held to-day.

Mr. FLETCHER. I wish to announce that my colleague [Mr. BRYAN] is attending a hearing as a member of the Committee on Naval Affairs, which accounts for his absence.

The PRESIDENT pro tempore. Fifty-two Senators having answered to their names, a quorum of the Senate is present.

Mr. SAULSBURY. I ask leave out of order to present a bill for appropriate reference.

The PRESIDENT pro tempore. The Senator from Delaware asks unanimous consent to introduce a bill at this time. Is there objection?

Mr. LODGE. I object.

The PRESIDENT pro tempore. Objection is made. The Senator from Maryland asks unanimous consent that the Senate proceed to the consideration of the District of Columbia appropriation bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 19422) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1916, and for other purposes.

Mr. SMITH of Maryland. I move that the formal reading of the bill be dispensed with and that the bill be read for amendment, the amendments of the committee to be first considered.

The PRESIDENT pro tempore. Such will be the order, unless there is objection. The Chair hears none. The Secretary will state the first amendment.

The first amendment of the Committee on Appropriations was, on page 1, after the enacting clause, to strike out:

That the following sums, respectively, are appropriated, in full for the following expenses of the government of the District of Columbia for the fiscal year ending June 30, 1916: That all moneys appropriated for the expenses of the government of the District of Columbia shall be paid out of the revenues of said District to the extent that they are available, and the balance shall be paid out of money in the Treasury of the United States not otherwise appropriated, but the amount to be paid from the Treasury of the United States shall in no event be as much as one-half of said expenses, and all laws in conflict herewith are hereby repealed.

And insert:

That one half of the following sums, respectively, is appropriated out of any money in the Treasury not otherwise appropriated, and the other half out of the revenues of the District of Columbia, in full for the following expenses of the government of the District of Columbia for the fiscal year ending June 30, 1916, namely:

The PRESIDENT pro tempore. The question is on the adoption of the amendment.

Mr. KENYON. Mr. President, I wish to submit a few observations on the amendment. They will not be long. The bill as it came from the House contained what is known as the Johnson amendment, which was supported in the House by Democrats and Republicans alike. It seems to me that if the Senate calmly considers the Johnson amendment, which I presume they will not do, sentiment in the Senate in favor of the committee amendment striking out the Johnson amendment will not be so strong as the newspapers would seem to indicate. However, the newspapers in the District of Columbia have announced that this matter is perfectly safe in the Senate, and that is received with loud acclaim by the tax dodgers in the District of Columbia.

I know that anyone who raises his voice in favor of the Johnson amendment is considered an enemy to the District of Columbia, is ridiculed and caricatured by the press of this city, as the Representative from Kentucky in the House and as Judge PROUTY, one of the Representatives from my State, have been ridiculed and caricatured for the fight they have made.

I do not believe, Mr. President, that it will make very much difference what the Senate may do in this matter. I believe men like Representative JOHNSON in the House and Representative PROUTY and Representative PAGE of North Carolina, and others whom I might mention, who have made the fight for a fair and honest apportionment between the Government and the District of Columbia in appropriations to pay the expenses of conducting the affairs of government in the District are not going to submit to having this amendment stricken from the bill.

What is the Johnson amendment?

Mr. GALLINGER. Mr. President, will the Senator permit me to interrupt him?

Mr. KENYON. I yield to the Senator.

Mr. GALLINGER. Is not the Senator wrong in quoting Mr. PAGE? Mr. PAGE is chairman of the subcommittee in the House, and did not that committee report the part of the bill to which reference is now made in accordance with the law as it now stands, and was not the amendment put on on the floor of the House?

Mr. KENYON. It was; but, as I understand—I do not want to misquote Mr. PAGE, but I was going to read something from his speech that I thought sustained what I have said.

Mr. GALLINGER. That may be.

Mr. KENYON. But I may be in error.

Mr. GALLINGER. I noticed that in reporting the bill Mr. PAGE did not report this amendment.

Mr. KENYON. That is true.

Mr. President, what is called the half-and-half plan exists in the District of Columbia, and has existed, I think, since about 1878. Under that plan, for every dollar which the District pays the Government pays another dollar; and because this custom has existed so long everyone says, when the question is first

broached. "Why, that is a fair proposition; we want this to be a beautiful capital city"—and we all do—"we want it to be a great city"—and we all do—"and we, as representatives of the Government, want to do our part." That is all true, and no one wants that more than I do; but as this bill was reported to the House—I will not take up the additions made by the Senate Committee on Appropriations—it carried the following amount:

The total amount recommended to be appropriated for the general expenses of the District of Columbia—

I am reading from the report of the House committee—

The total amount recommended to be appropriated for the general expenses of the District of Columbia for the fiscal year 1916 in the bill submitted herewith, exclusive of the amount for the water department payable out of water revenues, is \$11,174,193.45, of which sum the General Government is required to pay \$5,566,764.22.

So that \$5,566,764.22 is what the District of Columbia would pay without the Johnson amendment and what the Government would pay without the Johnson amendment.

The report says further:

The total general revenues of the District of Columbia for the fiscal year 1916, after deducting \$90,275 specifically charged against the same, it is estimated, will amount to \$7,881,625.

So that the proposition is simply this: In round numbers \$11,000,000 are to be raised. The revenues from taxation in the District of Columbia under, as I shall attempt to show, one of the lowest rates of taxation of any of the large cities in the United States, and with no taxation on moneys and credits, all of which have made this a harbor of refuge for the rich tax dodgers of the United States, will amount to \$8,000,000 approximately. The Johnson amendment is simply a plain provision that that \$8,000,000 which will be raised, according to the estimates of the District Commissioners, from this low rate of taxation shall be applied, first, to the payment of the expenses of the District of Columbia, and the balance, amounting to about \$3,000,000, shall be paid by the Government. Will anybody explain why that is not a fair proposition?

Mr. SMITH of Maryland. Mr. President—

Mr. KENYON. Is everybody an enemy of the District who advocates that the money raised by taxation in the District shall go first to pay the expenses of the District?

Mr. SMITH of Maryland. Mr. President—

Mr. KENYON. Just a word more, and I will yield to the Senator. On the other hand, the theory of the opponents of the Johnson amendment is that of the \$11,000,000, in round numbers, necessary to provide for the municipal government of Washington the District shall pay five and a half million—I am not being exactly accurate, but the figures are nearly correct and will do for illustration—and the Government shall pay five and a half million dollars; so that there is between the amount the District pays and the amount raised from the present methods of taxation about \$2,500,000, which is left over to the credit of the District and to make up for which taxes must be levied upon the people of my State and all the other States of the Union.

Mr. SMITH of Maryland. Mr. President, I will ask the Senator if he realizes that there is a large funded debt due by the District and by the Government, amounting to nearly \$7,000,000, which in the past the taxes have not been sufficient to pay, but which has to be met?

Mr. KENYON. Do the surplus revenues of the District go to pay that?

Mr. SMITH of Maryland. Any surplus may be applied for that purpose. The amount has to be raised by the taxpayers. As I have said, there is due by the District of Columbia and by the Government nearly \$7,000,000.

Mr. KENYON. I am not familiar with just what the funded debt is. I know that an investigation a short time ago disclosed the fact that the District owed the Government a large sum of money on account of the interest the Government had advanced on the funded indebtedness.

Mr. GALLINGER. That has all been paid.

Mr. SMITH of Maryland. That has been paid; all the floating debt has been paid by the District of Columbia; but there is now due a funded debt of about six and three-quarter million dollars, for which the money will have to be raised. Any surplus that accrues from taxation will probably go to pay the District's part of the funded debt.

Mr. KENYON. That is an interesting statement. I was not familiar with that, and neither the House report nor the report submitted by the distinguished Senator in charge of the bill in any way throws any light upon that proposition or in any way explains to the Senate that any part of the surplus revenue is to be used in the payment of the funded debt.

Mr. SMITH of Maryland. Any surplus would go back into the Treasury of the Government, and then the matter of payment of the debt would be hereafter arranged.

Mr. KENYON. I think it ought to be arranged now.

Mr. SMITH of Maryland. The Government is sure of having the money, for it goes into the Treasury, and therefore there can be no loss to the Government in the matter. There is no way by which the Government can be deprived of its part of the surplus.

Mr. GALLINGER. Mr. President, to be exact, I think the Senator should say that the balance or surplus goes in the Treasury of the United States to the credit of the District of Columbia.

Mr. SMITH of Maryland. But it can be applied to the payment of the District's share of the debt.

Mr. KENYON. That appears nowhere except in the remarks of the chairman.

Mr. WEEKS. Mr. President—

The PRESIDENT pro tempore. If it is agreeable to the Senator from Iowa, the Chair will permit him to be the judge of interruptions and when they should take place. This is a debate which seems to run to figures and items, and it is hardly worth while to require consent to be secured in the prescribed way. If that course is satisfactory to the Senator, it will be followed.

Mr. KENYON. I shall be very glad to be interrupted at any time, because it shows an interest in the subject that I supposed really could not be aroused.

I yield to the Senator from Massachusetts.

Mr. WEEKS. Mr. President, as I understand, the floating debt which has existed for several years has been entirely paid, and there is about \$75,000 surplus—

Mr. SMITH of Maryland. I will say that the floating debt has been paid, and there was about \$75,000 surplus last year.

Mr. WEEKS. Let me finish—which goes with the money that would go into the Treasury to the credit of the District of Columbia. I understand that this year there is likely to be a very considerable surplus; is there not?

Mr. SMITH of Maryland. Yes, sir; there will be a very considerable surplus.

Mr. WEEKS. I wish to ask the chairman of the District Committee if he does not think it would be a proper use to which to put that money to provide a sinking fund to retire the District indebtedness or to purchase the District indebtedness, if it can be bought on suitable terms, so that, if the surplus revenue from taxation is sufficient, in the course of years the District indebtedness will be entirely liquidated by appropriations from that surplus?

Mr. SMITH of Maryland. It was the view of your committee that this money of the District would eventually be paid in behalf of the District's portion of the funded debt; and, of course, the Government is responsible, under the organic law, to pay its part of the debt.

Mr. WEEKS. Is there any reason why provision should not be put into this bill providing that the surplus revenues from taxation should be used for that purpose?

Mr. SMITH of Maryland. So far as the amount due by the District of Columbia is concerned? Is that the Senator's idea?

Mr. WEEKS. Yes.

Mr. SMITH of Maryland. So far as my judgment goes, I see no objection to that, and we have none; but we felt that it was a matter that might be considered by Congress, as to how it should be applied and how it should be fixed, and we just left it to remain, so that it would go into the Treasury to the credit of the District of Columbia.

Mr. ROOT. Mr. President—

Mr. KENYON. I yield to the Senator from New York.

Mr. ROOT. I will ask the Senator whether it is not a fact—I have an impression to that effect, though I may be wrong about it—that there are several large projects of improvement which have been authorized by Congress, and which, in the ordinary course of events, would have called for the expenditure of money out of this fund, which have been postponed or delayed owing to circumstances perhaps natural enough to attend a change in administration. I refer, for instance, to the extension of the Capitol Grounds, the taking of the property between the Capitol and the railway station, which involves several million dollars; the acquisition of the land for the Rock Creek Parkway connection, connecting the Potomac Park with the Zoological Gardens and the Rock Creek Park, and dealing with that eyesore and menace to health—the open space along the lower part of the course of Rock Creek. I say I have an impression that in the ordinary course of events one-half of that expense would have been paid out of that fund.

Mr. SMITH of Maryland. Mr. President, I will say to the Senator from New York that there were many items that the committee thought were worthy of attention and should be looked after that would require a great deal of money. They

felt, however, that as this is the short session they had better defer them until some other time.

Mr. KENYON. But, Mr. President, is it not true—I want to suggest this in line with what has been said by the Senator from New York—that the District of Columbia pays absolutely no part of those expenses; that they are paid entirely by the Government? The upkeep of Rock Creek Park is paid entirely by the Government, as I understand.

Mr. GALLINGER. Oh, no, Mr. President; the Senator is wrong about that. The District of Columbia bears one-half the cost of Rock Creek Park, and will bear one-half the cost of connecting the two parks; but I think the Senator from New York is not accurate about the improvement of the Capitol Grounds. I think that is entirely a Federal matter.

Mr. ROOT. I did not make any statement about that. I merely asked the question.

Mr. GALLINGER. That is entirely a Federal matter.

Mr. ROOT. I know there has been delay in several projects of improvement which would have called for large expenditure, and the Rock Creek parkway connection would call for several millions of dollars. It has already been authorized by Congress. Congress has passed a law requiring the work to be done; but for some reasons—I do not know what they are—the work has not reached a point which has called for demands upon the Treasury; but the money will have to be there.

Mr. KENYON. If it is not included in this bill—and I do not know whether or not the Senator has examined it to ascertain; I think it is not—it will be included in some other bill. If the Senator from New Hampshire, who, of course, by reason of his long service on the committee is very familiar with these matters, states that the acquisition of Rock Creek Park and the expenses of maintaining it were divided between the Government and the District, I will have to accept that statement; but it is contrary to what I had understood to be the fact.

Mr. GALLINGER. Mr. President, if the Senator will permit me, that is accurate. The purchase was upon an equal contribution from the Treasury of the Government and the District of Columbia, and the Senator will find that the upkeep of the park is provided for in this bill on the half-and-half principle.

Mr. SHAFROTH. Mr. President, I should like to ask the Senator from New Hampshire whether the original purchase of this park was made by the Government and the District of Columbia jointly?

Mr. GALLINGER. It was, as I understand.

Mr. SHAFROTH. And the expenditures that have been made with relation to the park—

Mr. GALLINGER. Have all been on the half-and-half principle?

Mr. BRISTOW. Mr. President, if the Senator will yield—

Mr. KENYON. I yield to the Senator from Kansas.

Mr. BRISTOW. I should like to inquire, also, if the maintenance of the Zoological Park is not wholly by the Government, or is that on the half-and-half plan?

Mr. GALLINGER. I have an impression that the expense of that is likewise divided between the Government and the District of Columbia, although on that I may not be well informed.

Mr. BRISTOW. I thought the maintenance of that was under another department, and not under the District of Columbia.

Mr. GALLINGER. The Senator may be right in the suggestion that that is a Federal matter. I am not positive. I have not looked into it recently. I will say that I am not so familiar with these matters as I was a few years ago when I was chairman of the District Committee, but of course we want to be accurate about it, and it is possible that the Senator is correct in his suggestion regarding the Zoological Park.

Mr. SMITH of Maryland. I will say that that is true, Mr. President; that one-half the expense is borne by the Government and one-half by the District.

Mr. NORRIS. The Senator refers to the Zoological Park?

Mr. SMITH of Maryland. Yes, sir.

Mr. BRISTOW. The Zoological Park is maintained on the half-and-half plan?

Mr. SMITH of Maryland. On the half-and-half plan. The language is:

National Zoological Park: * * * one half of which sum shall be paid from the revenues of the District of Columbia and the other half from the Treasury of the United States.

Mr. OVERMAN. Mr. President, does not the Smithsonian Institution have control of the Zoological Park, and spend great sums in maintaining it? I understood that that was the case from reading the report of the Smithsonian Institution.

Mr. SMITH of Maryland. They do; but I understand that that is divided between the Government and the District of Columbia.

Mr. OVERMAN. I think the Smithsonian Institution does it out of its own fund. It has a great endowment, and while I do not know what they say about this, I know that in their report they speak of the money they expend in keeping up the Zoological Park.

Mr. SMITH of Maryland. They are intrusted with the care of it; but if you will notice there—

Mr. BRISTOW. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Kansas?

Mr. KENYON. I do.

Mr. BRISTOW. I was interested in a statement the Senator from Iowa made. He states that it is estimated that there will be two and a half or three million dollars surplus of the District revenues.

Mr. OVERMAN. If the Senator will permit me, before we leave this subject, I see that the total amount spent under the Smithsonian Institution was \$600,000. They spent this money in keeping up the Zoological Park; but here is an appropriation of \$100,000 outside of this—

For continuing the construction of roads, walks, bridges, water supply, sewerage, and drainage; and for grading, planting, and otherwise improving the grounds; erecting and repairing buildings and inclosures; care, subsistence, purchase, and transportation of animals—

And so forth. Here is an appropriation of \$100,000, half of which is to be paid by the Government and half by the District; but the total amount was spent under the Smithsonian Institution. I was right about that. They have spent \$600,000 of their own funds.

Mr. GALLINGER. Not on the park, surely. The Senator does not mean that.

Mr. OVERMAN. It says that that is the total amount under the Smithsonian Institution.

Mr. ROOT. That is for all the Smithsonian purposes.

Mr. OVERMAN. I do not know how that is. I know it is under this item.

Mr. ROOT. The Senator does not mean for the Zoological Park?

Mr. OVERMAN. The Zoological Park is under the Smithsonian Institution.

Mr. ROOT. Oh, yes; and so are a great many other things.

Mr. OVERMAN. I know, but they spent the money in keeping it up. They spent it out of their own endowment fund.

Mr. SMITH of Maryland. The question that was asked was whether the expenses of the National Zoological Park were defrayed by the Federal Government or by the District of Columbia. We are speaking of that. So far as the Smithsonian Institution is concerned, that is another proposition; but the money that is appropriated for that purpose is provided by the District of Columbia and by the Federal Government—half and half.

Mr. JONES. That is not covered in this bill, is it?

Mr. BRISTOW. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Iowa yield, and to whom?

Mr. KENYON. I have yielded to the Senator from Kansas, and with his permission I will yield to the Senator from Washington.

Mr. JONES. I just want to ask a question on this particular matter. I want to ask the Senator in charge of the bill why it is, if that is true, that the matter is not carried in the District of Columbia appropriation bill? We do not have anything in this bill with reference to the Zoological Park; at least, that is my recollection.

Mr. SMITH of Maryland. I am not able to say just why certain matters are not carried here. I am only saying that the money which is appropriated for that purpose is contributed by the Government and by the District government jointly, half and half.

Mr. JONES. In what bill is that appropriation made?

Mr. SMITH of Maryland. That is under the sundry civil bill.

Mr. GALLINGER. Mr. President, in answer to the Senator from Washington, I will say that the appropriations in the District bill are under the supervision of the Commissioners of the District of Columbia. The Zoological Park being under the jurisdiction of another branch of the Government, the appropriations for it are carried in the sundry civil bill.

Mr. BRISTOW. As I was proceeding to remark, from the statement made by the Senator from Iowa there will be approximately \$8,000,000 raised from taxation within the District. Under the half-and-half policy proposed by the amendment of the committee \$5,500,000 would be required of that \$8,000,000 of revenue, leaving a surplus of District revenues of something like \$2,500,000—

Mr. SMITH of Maryland. I will say it leaves a surplus of \$1,800,000.

Mr. KENYON. The surplus, as given by the report of the House committee, is \$2,042,205.77. It is around \$2,000,000, anyway.

Mr. BRISTOW. We will say it is approximately \$2,000,000. The Senator from Massachusetts [Mr. WEEKS] suggests that that \$2,000,000 shall be used to pay the indebtedness of the District of Columbia; that specific provision to that effect shall be made, no provision having been made by the amendment of the committee. Does not the chairman think it is better to make a specific disposition of the surplus revenues?

Mr. SMITH of Maryland. I will say to the Senator that inasmuch as there are pending certain propositions for improvements in the city amounting to a great deal of money, and appropriations asked for them, which the members of the committee thought possibly should have been accepted and provided for, we felt that it was probably better to have this surplus go into the Treasury of the United States to the credit of the District of Columbia, for future consideration as to whether it should go to pay the funded debt or whether it should go to make the improvements which are now pending but are not provided for in this bill.

Mr. BRISTOW. If the Senator will yield further, suppose this two millions goes into the Treasury of the United States. Will it require an appropriation from Congress to get it out?

Mr. SMITH of Maryland. It has to be done by Congress.

Mr. BRISTOW. That is, if the improvements which the Senator refers to are made, Congress will have to appropriate the money from the revenues for the purpose of making those improvements?

Mr. SMITH of Maryland. They would, if they saw fit to do so.

Mr. BRISTOW. Yes; and if they did not make the appropriation, then the fund would remain there. Is that correct?

Mr. SMITH of Maryland. Why, of course; if it is not taken out, it will stay there.

Mr. BRISTOW. Then, it can only be taken out by an appropriation?

Mr. SMITH of Maryland. I know of no other way, sir.

Mr. BRISTOW. Now, why not liquidate the indebtedness, and then, when the time comes to make the improvements, make the appropriation, just as we will have to do anyway? What is the use of leaving idle money in the Treasury and then paying interest on a lot of indebtedness in the meantime, while that money is doing nothing?

Mr. KENYON. Let me suggest to the Senator from Kansas, why collect more money than is needed? Why not leave it in the pockets of the people? The Johnson plan saves the people of the United States \$2,000,000. When this money is needed for the future it can be raised; but why collect that money now, when it is not needed, and put it in the Treasury for some mysterious thing that is possibly going to happen at some time in the future, that nobody seems to understand or give us any enlightened judgment upon?

Mr. BRISTOW. As I understand the Senator from Iowa, then, the so-called Johnson amendment does nothing except use the money which is raised from taxation? It will not increase the taxes at all?

Mr. KENYON. No.

Mr. BRISTOW. It leaves the taxes just as they are?

Mr. KENYON. Exactly as they are. They are about the lowest of any large city in the country.

Mr. BRISTOW. It simply uses the money that is collected here to defray the expenses of the District and then the Government makes up the deficit?

Mr. KENYON. Exactly; so that the \$8,000,000 collected here is applied on the \$11,000,000 that is necessary to conduct the affairs of the District, leaving about \$3,000,000 for the Government to pay. Otherwise the Government is to pay five and a half million, the District five and a half million, and two and a half million, or approximately two million, is left.

Mr. BRISTOW. Without being provided for?

Mr. KENYON. Without being provided for.

Mr. BRISTOW. And, as I understand the Senator's proposition, it is to use the money for the purpose of paying the expenses of maintaining the District, since it is collected anyway, and would remain idle in the Treasury if it were not used?

Mr. KENYON. Exactly.

Mr. BRISTOW. I can not see anything enormous about that. I have heard so much about the Johnson amendment that I supposed it was going to confiscate somebody's property here.

Mr. KENYON. You would think so, to read the newspapers.

Mr. CLAPP. Mr. President, will the Senator yield to me for a moment?

Mr. KENYON. I will.

Mr. CLAPP. According to the statement of the chairman of the committee, the people of the District of Columbia will have to raise this eight-odd million dollars, as the House passed the bill and as the Senate has reported it. That is correct, is it not?

Mr. SMITH of Maryland. I do not catch just the meaning of the Senator.

Mr. CLAPP. As the bill passed the House and as it has been reported to the Senate, the people of the District of Columbia would have to pay this tax of approximately \$8,000,000, and approximately \$2,000,000 of that \$8,000,000 would go into the United States Treasury for the time being?

Mr. SMITH of Maryland. They would have to pay a sufficient amount to meet the expenses, and there would be a surplus of \$1,800,000 left over which would go into the Treasury.

Mr. CLAPP. In other words, they would have to pay the full amount of the tax that is provided for here?

Mr. SMITH of Maryland. If it goes into the Treasury, under the organic law of course the Government would have to pay an equal amount, because this debt of nearly \$7,000,000 is due by the District of Columbia and the Government jointly.

Mr. CLAPP. Let us put it in this way, then, for I should like to get this statement in some form: The difference between the five million and odd dollars that the Senate proposes to appropriate to meet the five million and odd dollars of the District tax that would go to meet the requirements of this bill, and the taxes which the people of this District pay, would go somewhere, would it not?

Mr. SMITH of Maryland. It would.

Mr. CLAPP. It would go into the United States Treasury, would it not?

Mr. SMITH of Maryland. It would; to the credit of the District of Columbia.

Mr. CLAPP. That is all true. Now, that being true, I should like to ask the chairman what difference it makes to the taxpayers of the District of Columbia whether the United States Government lets that money lie in its Treasury or whether it uses it?

Mr. KENYON. I should like to answer that question.

Mr. CLAPP. I should like to have it answered by somebody.

Mr. KENYON. The question, however, is directed to the chairman. I beg the chairman's pardon.

Mr. SMITH of Maryland. I should be glad to have the Senator proceed. I should be glad to hear his answer.

Mr. KENYON. I will give my answer after the chairman gives his.

Mr. SMITH of Maryland. I would rather hear the Senator's answer first, since he has started to give it.

Mr. KENYON. Mine is simply this: The country is going to find out what the taxpayers of the District know now—that when an ordinary, fair rate of taxation, such as is paid in other cities in the United States, is imposed on the property in this District it will raise an amount of revenue that will cover all of the expenses of the District; and if, in addition to that, moneys and credits are taxed—and at present there is a hundred million dollars of them in the District that is not taxed—you will raise more money than is necessary to run the affairs of the District.

The taxpayer of the District does not want that. He does not want a fair rate of taxation. I do not say that as applying to the medium homes and the poor homes; but the Senator from Minnesota knows that Washington has become the rendezvous for rich people in the United States, who come here and escape taxation.

Mr. CLAPP. The Senator must not "look at me in that tone of voice." [Laughter.]

Mr. SMITH of Georgia. Mr. President, does the Senator from Iowa mean that the Senator from Minnesota is one of them?

Mr. KENYON. The Senator from Minnesota was farthest from my thoughts, although I knew he had purchased a farm in Virginia. [Laughter.]

Mr. SMITH of Maryland. I take it the Senator recognizes that the tax rate is fixed by the Government, not by the District of Columbia.

Mr. MARTINE of New Jersey. Mr. President, I should like to inquire what is the rate of taxation here now?

Mr. KENYON. The rate of taxation on real estate is about 10 mills on the dollar.

Mr. SMITH of Georgia. One per cent.

Mr. KENYON. And, as I have said, intangible personal property is not taxed at all.

Mr. SMITH of Maryland. The rate is \$1.50.

Mr. KENYON. One dollar and a half on the hundred; but the statute provides for two-thirds valuation, which is practically 10 mills on the dollar.

Mr. SMITH of Maryland. I take it for granted that there are very few cities in the Nation that tax their property up to the full rate.

Mr. KENYON. I am going to show, before I get through, from the figures submitted in the House—and I have not verified them—

Mr. SMITH of Georgia. Mr. President, will the Senator allow me to interrupt him?

Mr. KENYON. Yes, sir.

Mr. SMITH of Georgia. It is entirely unfair to compare the tax rate of this city with the tax rate of other cities. The tax rate here is the total tax, covering State and county and city; while the taxes we have quoted from other cities are but part of the tax on the property there. They still have their State and county taxes.

Mr. KENYON. They still have their assessments for paving, their assessments for sewers, and their assessments for sidewalks, which the people in this District do not have.

Mr. CLAPP. If the Senator will pardon me further, I confess that I have not studied the Johnson amendment. I have had the impression that in some way that amendment is going to do an injustice, perhaps, to the small, average taxpayer of the District—the class of taxpayers, of course, who always bear the burden of taxation. Would there be any effect of the Johnson amendment which would change the system which has been so long in vogue, of the District paying one half of the expenses of the District and the people of the country generally paying the other half?

Mr. KENYON. Yes. The Senator will note that it provides that—

The amount to be paid from the Treasury of the United States shall in no event be as much as one-half of said expenses, and all laws in conflict herewith are hereby repealed.

So, as to this act at least, the half-and-half plan is abolished.

Mr. CLAPP. That is just what I should like to get at here, if it is possible to do it. I understood from the Senator a few moments ago that it does not abolish the half-and-half plan—

Mr. KENYON. No; I do not desire to be understood in that way.

Mr. CLAPP. But that, on the contrary, the Johnson amendment simply proposes that some \$2,000,000, which theoretically would otherwise lie idle in the Treasury of the United States, shall be, under this bill, used for the expenses of the District on behalf of the Federal Government's share of the expense.

Mr. KENYON. That is exactly what it proposes.

Mr. CLAPP. It would still leave the Government, would it not, to make good, whenever the time came, this \$2,000,000?

Mr. KENYON. Oh, it is only applicable to this particular bill in the connection in which the Senator uses it; but it does recite that the Government shall not pay one-half, and in that respect it is contrary to the present half-and-half plan.

Mr. CLAPP. Then I should like to ask the Senator another question. I will state that there is no purpose in these questions except to get at an understanding of the situation.

Mr. KENYON. I am very glad to answer them. There is no purpose on my part in what I have to say except to get at the real state of affairs.

Mr. CLAPP. I feel that the Senator is only anxious to have the matter developed.

My understanding was that if the Johnson amendment were not adopted, when the tax was collected from the taxpayers of the District there would automatically go into the Federal Treasury approximately \$2,000,000, which would be there to the credit of the District, which the Federal Government might at this time direct to be paid upon the bonded indebtedness of the District, or let it lie there as a sinking fund to meet that indebtedness later, or, if improvements were subsequently provided for by Congress, to be then applied on the District's half of those improvements. As I understood from the Senator from Iowa, the effect of the Johnson amendment would be that instead of that money lying there idle, theoretically, we would at this time take the money out, it being in our Treasury, and use it; that the credit would still remain to the District of Columbia; and that when these bonds became due or when additional improvements were provided for by Congress, where there is any occasion for the District to furnish its share of funds to meet legislative demands, we would then recognize the obligation growing out of the fact that we had taken \$2,000,000 in round numbers, of their money, and they would be relieved to that extent.

Mr. KENYON. No; I think the Senator has not a true conception of the situation. The effect of the Johnson amendment is simply this, that the Government instead of paying one-half of the sums provided for in this bill, amounting approximately to five and one-half million dollars, will pay about \$2,000,000 less, between \$3,000,000 and \$5,000,000. The \$8,000,000 that will be collected according to the estimates of the District Commissioners which have been filed for the year 1915 will go to pay, in the first instance, the city expenses and the Government will make up the balance.

The question of funded indebtedness I understand is taken care of in other ways without regard to this bill, and I think it ought to go out of the Senator's mind in a discussion of the bill.

Mr. CLAPP. Then the Johnson amendment would devote the entire tax which has been levied in the District to the expenses of the District, with the Government appropriating only approximately \$3,000,000; and the Senator understands after that is done there will be no moral obligation resting upon the Government to make good that \$2,000,000?

Mr. KENYON. Absolutely none, unless it became essential in a fair treatment of the District of Columbia, which I think the Government will always accord.

Mr. CLAPP. Ah, but that is just the point. Does not the Johnson amendment then present this situation? We have gone on here and levied a tax, the District people, so far as they have any form of representation through their citizens, appearing before committees, and so forth, acquiescing in it upon the theory that they were to pay only one half the expenses of the government of the District. Then after that is done, without any notice, when they have become obligated as taxpayers for \$8,000,000 under a system which has been in vogue for a great many years, that the people generally would pay the other half, we suddenly turn around and take \$2,000,000 without recognizing our obligation to return it in some form to the District.

Mr. KENYON. We recognize the obligation to the people of this country not to collect by taxation and turn over to the District of Columbia more money than they need to run the affairs of the District.

Mr. CLAPP. That is very true.

Mr. KENYON. It is an obligation to the people of this country as well as to the people of the District. The Senator need not have any concern about any overtaxation of the people of the District of Columbia.

Mr. CLAPP. I am not speaking of overtaxation.

Mr. KENYON. The Senator is speaking of wrongs that might be inflicted upon them by paying the taxes under a certain obligation.

Mr. CLAPP. Not by overtaxation. This is what is bothering me in connection with this matter. I must confess at this point it rather looks to me as though it was not the utmost good faith to establish a condition here where the taxpayer of the District pays one half and the people generally the other half, and we, representing the people as well as the taxpayers here, develop a condition where the property of the District has been obligated under that levy for \$8,000,000, and then we suddenly say we will not keep up this half-and-half proposition. Instead of putting this excess, because we find we do not need it all, into the Treasury to their credit or to the payment of their funded indebtedness, we simply take it without recognizing that in any sense it is theirs. It rather strikes me that that is a question which has not been considered by the Senator.

Mr. KENYON. Then, would the Senator advocate reducing the tax levy to such a point as shall produce merely the five and a half million dollars which is necessary—their half?

Mr. CLAPP. No. I take this view of it: This levy has been made. We find that we do not need quite this levy to run the District government. These taxpayers theoretically are going to pay this tax. I am not familiar with the process in the District by which it may be enforced, but I take it, of course, that with the long experience there must have been developed a process to enforce it. It strikes me it would be all right to say that we do not need \$16,000,000 to run the District government, so we will take this extra amount that you are paying and we will either apply it to the bonds and make a sinking fund out of it or, what I think is a much more practical way, for I do not believe in money lying idle in the hands of the Government, we will take the \$2,000,000 temporarily and use it to run the District government as a part of our share of the expense of the District, and later, when the bonds become due or when there are improvements to be made, or even in the next bill for the District, perhaps we will credit you with the \$2,000,000.

Mr. KENYON. As far as there are any reports—

Mr. CLAPP. I do not know about the reports.

Mr. KENYON. Or any arguments that have been made the bond question has not arisen. It arises now on the statement of the chairman. I am not prepared to discuss the bond question.

Mr. CLAPP. Then eliminate the bonds. We know it is going to cost a great deal of money in the future both for the city and the General Government. It could then be used as a part of the District fund to meet the appropriations made by Congress.

Mr. GALLINGER. Will the Senator yield to me?

Mr. KENYON. I yield to the Senator from New Hampshire.

Mr. GALLINGER. I will inform the Senator from Iowa that the question of the obligation of the Government to pay one-half of its funded debt was decided very recently by the comptroller in an elaborate opinion holding that it was an obligation equally upon the Government and the District of Columbia.

Mr. KENYON. Is that the same opinion in which it was held that the District government was indebted to the General Government?

Mr. GALLINGER. I think it is not the same.

Mr. CUMMINS. Mr. President, this discussion has been very clear, but it has left one point on which I am still in doubt. It has been stated that under the law the taxable property of the District is assessed for taxation at two-thirds of its real value—the taxable real estate.

Mr. KENYON. The real estate.

Mr. CUMMINS. I understand that only physical or tangible personal property is assessed at all. What governmental body is it which determines the right of levy for a given year?

Mr. SMITH of Georgia. The act of Congress fixes the rate.

Mr. CUMMINS. When did we fix the rate?

Mr. KENYON. In 1902. The first, I will say to the Senator, was in 1874. It was then fixed at \$3 on \$100. Then it was changed in 1878 and fixed at \$1.50 on every \$100. Then it was changed in 1902 to two-thirds of the true value thereof.

Mr. CUMMINS. Remaining at \$1.50.

Mr. KENYON. At \$1.50. It practically amounts to 10 mills on a dollar.

Mr. CUMMINS. Is it true that the same rate of levy upon the valuation for taxation has existed now for 12 years?

Mr. KENYON. I understand so.

Mr. CUMMINS. That is a most extraordinary situation. It is a mystery to me that we went along in that way. Most governments change their rate of taxation each year. They fix a rate that will raise the amount of money that it is estimated will be necessary for the government during the ensuing year.

Mr. KENYON. The assessment, of course, varies.

Mr. CUMMINS. The assessment varies, I suppose.

Mr. KENYON. Very much.

Mr. CUMMINS. But they can not apportion the assessment except as they fix either the increase or decrease of the value of property. Apparently we have, then, a rate of taxation and levy that has continued without change for 12 years. Of course, even if this amendment were adopted, and if Congress next year should fix a rate of levy that should raise only one-half the amount necessary to carry on the affairs of the District, we would have made no progress at all except for the present year.

Mr. NELSON. Will the Senator allow me?

Mr. KENYON. On that point I should like to say to my colleague that that would be a rate of about 6.6 mills, and I do not think anybody will be heard to say that the rate of taxation in the District of Columbia is too high now.

Mr. CUMMINS. I was not addressing myself to that. I was simply trying to satisfy myself as to where the power is to determine how much money shall be raised by taxation in the District of Columbia.

Mr. SMITH of Georgia. It is in Congress.

Mr. CUMMINS. If it is in Congress, we could, notwithstanding this amendment, next year authorize only five and a half million dollars to be raised by taxation. Then the Johnson amendment if continued or reenacted would have made no difference whatever in the policy to be pursued as between the Government and the District. It would seem to me that if we want to introduce a new policy the amendment might very well be made more explicit and enduring.

Mr. NELSON. Will the Senator from Iowa yield to me?

The PRESIDING OFFICER (Mr. ASHURST in the chair). Does the Senator from Iowa yield to the Senator from Minnesota?

Mr. KENYON. I do.

Mr. NELSON. I call the Senator's attention to the fact that there is the most anomalous condition here that I know of any-

where. By the act of July 1, 1902, which is still in force, under section 5 of that act, it is provided that—

hereafter all real estate in the District of Columbia subject to taxation, including improvements, shall be assessed at not less than two-thirds of the true value thereof and shall be taxed 1½ per cent upon the assessed valuation.

Here you have an arbitrary and fixed standard, both as to the rate of assessment and the rate of tax to be levied. It has existed for 12 years under a permanent statute without any regard as to what the wants of the District may be, whether they are great or small. It is a condition that I do not think exists in any other part of the Union.

Mr. SMITH of Georgia. I think there are a great many cities that have a fixed rate of taxation and the assessments are required to be made on the value of the property.

Mr. NELSON. But this is a fixed rate of taxation, not only a fixed rate of valuation.

Mr. SMITH of Georgia. That is what I say—a fixed rate of taxation, a tax that follows the value of the property.

Mr. NELSON. I never heard of such a thing before.

Mr. CUMMINS. I never heard of a fixed rate of levy. Many States have a maximum rate of levy.

Mr. SMITH of Georgia. I think the charters of a great many cities carry a fixed rate of taxation.

Mr. CUMMINS. If a city requires \$1,000,000 one year and \$3,000,000 the next, how does it raise the money?

Mr. SMITH of Georgia. I think the theory is to have a fixed rate of taxation, so as to limit to that rate the expenditures by the city. I am not familiar with any cases in which the city has not found the opportunity to spend the limit of the amount it could raise by the rate put upon the city. I think the real theory is to say, "We will allow a tax of one and one-half in this city, and the city council must shape plans of operation so as not to exceed the rate."

Mr. CUMMINS. There are a great many cities, I think, which do not reach the maximum rate permitted by law. I happen to live in one of them myself.

Mr. SMITH of Georgia. I am sorry I do not.

Mr. CUMMINS. The rate of taxation is very high there, but, then, it is not quite up to the maximum, and it is changed every year; that is, you take the State tax, the school tax, the city tax, the county tax, and they are never the same for any two successive years. I did not suppose it was possible to manage the affairs of a city with a fixed rate of valuation as well as a fixed rate of levy. I am very much surprised to know that it exists in Washington.

Mr. KENYON. In the Senator's city there is no contribution from any other source of one-half. So that situation is quite different.

Mr. CUMMINS. I supplement what my colleague has just said by stating that in the city in which I live our entire rate this year, which is a combination of all the State, county, city, and school taxes, is 2½ per cent upon a full valuation, and that includes, of course, moneys and credits as well as fixed property.

Mr. KENYON. That does not include any levy for sidewalks.

Mr. CUMMINS. Oh, no; those are special taxes which are levied against the owners of the abutting property.

Mr. SMITH of Georgia. Mr. President—

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Georgia?

Mr. KENYON. Gladly.

Mr. SMITH of Georgia. I should like to make a suggestion with reference to the statement of the Senator from Minnesota [Mr. NELSON]. The act provides that the assessment shall be two-thirds of the value and the tax rate 1½ per cent. I can not see why such a piece of legislation could have been so framed. Why not simply say we propose to tax the property 1 per cent on the value instead of going at it with such circumlocution? You put a tax of 1½ per cent and limit the assessment to two-thirds; that is to say, you put a tax of 1 per cent.

Mr. ROOT. Not less than two-thirds.

Mr. SMITH of Georgia. Not less than two-thirds?

Mr. KENYON. It can be more than two-thirds.

Mr. SMITH of Georgia. I thought it was specifically two-thirds. If the act provides that it shall not be less than two-thirds, then the elasticity which the Senator from Iowa thought did not exist is furnished—the opportunity to increase the assessment from two-thirds up to par. In point of fact the rule which they follow is to make the assessment on two-thirds of the valuation, which makes the tax 1 per cent.

Mr. KENYON. In a certain area which the House committee pointed out as occupied by the homes of the wealthy people of Washington the Senator will have great difficulty in finding any assessment on the basis of two-thirds. It will come nearer

about 40 per cent; but in the other parts of the city, which the same committee pointed out, the report of which I have here, comprising something like 40,000 homes of the poorer people, he will find they were assessed at 75 per cent.

Mr. BRISTOW. Mr. President—

Mr. OVERMAN. Will the Senator yield to me?

The PRESIDING OFFICER. Does the Senator from Iowa yield, and to whom?

Mr. KENYON. I yield first to the Senator from North Carolina.

Mr. OVERMAN. I want to say about the Zoological Park, recurring to that item—

Mr. KENYON. We were out of the Zoological Park.

Mr. OVERMAN. I understand; but I want to set myself straight. Reading in the Record a statement, I find the Smithsonian Institution appropriated and paid out of their own fund \$100,000. Then I turn to the sundry civil appropriation bill and I see that the Government expended \$100,000. So the District of Columbia does not pay anything.

Mr. KENYON. I now yield to the Senator from Kansas.

Mr. BRISTOW. I wish to inquire of the Senator from Georgia if the system of fixing the amount of levy by law and then fixing a basis for taxation, whether it is 1 per cent on the full value or one and a half on two-thirds of the value, has not its merits in that it fixes the budget which the District Commissioners can expend or which Congress can appropriate for, so that the people who pay the taxes know approximately what their burden is going to be? Is it not really a better system, in that it is stable and continuous from year to year rather than to leave it to the judgment of a temporary board as to the amount of levy they want to spend? Is it not a more satisfactory system? We know we have so much money and we can do certain things, and otherwise, we want to do certain things, let us have so much money. I believe the system which prevails here is better than the other and that it would be far more economical in our civil administration.

Mr. SMITH of Georgia. The objection suggested by the Senator from Iowa is that, with this elasticity extending between two-thirds and the full value, there has not been an equality of assessment.

Mr. BRISTOW. I think that is very bad.

Mr. SMITH of Georgia. That is, the most valuable property is really assessed under two-thirds, while the cheaper property is assessed over two-thirds.

Mr. GALLINGER. Is not that always so everywhere?

Mr. SMITH of Georgia. No; I do not think so.

Mr. GALLINGER. Absolutely.

Mr. SMITH of Georgia. If so, I think it is unfair everywhere.

Mr. GALLINGER. Well, it is.

Mr. KENYON. It is pretty nearly true everywhere, is it not, that the poor man, with his little piece of property, can not escape the situation, and he pays up to the handle, while those of influence and wealth do not pay their part of the taxes in this country?

Mr. NORRIS. Mr. President, will the Senator from Iowa yield to me?

Mr. SMITH of Georgia. Mr. President—

The PRESIDING OFFICER. Does the Senator from Iowa yield; and if so, to whom?

Mr. KENYON. I yield to the Senator from Georgia.

Mr. SMITH of Georgia. At my own home my observation has been that the taxes on suburban property or on property of smaller value is, in proportion to the real value, less than that on central property.

Mr. SHAFROTH rose.

Mr. KENYON. I yield to the Senator from Colorado.

Mr. SHAFROTH. Mr. President, I should like to make an observation with respect to the statement made by the Senator from Kansas [Mr. Bristow]. It is true, as he states, that by fixing the rate of taxes a more economical administration may be secured; but the Senator does not seem to take into consideration that fixing a low rate for the city of Washington—for instance, as an illustration, a rate of only 1 per cent, while in other cities the rate is 2 per cent—would have a tendency to draw from those cities a large number of wealthy people who would come here practically for the purpose of avoiding taxation. If a man is worth \$10,000,000, he can in that way not only save enough to pay his entire living expenses, but sufficient to afford a big income besides. That simply illustrates the illogical method of taxation that has been followed.

I believe that the United States Government ought to treat the District of Columbia fairly; I think it ought to treat it generously; but I do not see that this amendment is mature legislation. For that reason, although I think there are many

wrongs in connection with the government of the city of Washington, yet, so far as this amendment is concerned, I can not see that it is mature enough to be adopted as a permanent policy.

I repeat that there are no doubt many wrongs in connection with the government of the District of Columbia, especially with respect to the matter of taxation. For instance, as to the great parks located here, which are called national parks, the District of Columbia does not contribute one cent toward their upkeep, although, as a matter of fact, such parks are kept up by every other city in the Union; there is no doubt about that. Here is the ground which we are condemning between the Capitol and the Union Station. It may be called a part of the Capitol Grounds, but, at the same time, it is much more than that; it will be practically a park for the city of Washington. Take the great Mall, which lies between the Capitol Building and the Washington Monument; all of that constitutes a part of the property of the National Government, but at the same time forms a park for the District of Columbia. When you take into consideration the fact that the city does not pay any of the expense of the maintenance of such parks, does not have them patrolled by its officers, does not contribute the police force which is necessary for their protection, you can see that the present arrangement is not altogether equitable.

Take the system that has prevailed for a great many years of the National Government paying one-half of the expense of paving in the city of Washington. That is not done in any other city in the Union. The custom in different cities varies with relation to such payments. In my city the total expense of paving must be paid by the abutting owners. It is an improvement tax, two-thirds of which, at least, it seems to me, ought to be levied against such owners, and I understand that recently that has been provided for in this city. It is a wise provision; but the old system here of having the National Government pay one-half and the District pay one-half was, in my judgment, absolutely wrong and contrary to what is the law in every other city in the entire Union.

That practice has produced another wrong in the way of encouraging speculation in property which is bought in this city. There is no question that if a man can rely upon the fact that he does not have any improvement taxes to pay, the property is probably worth that much more. He practically receives a gift to the extent to which he is exempted from that tax, and the property in every other city is of necessity burdened with such taxes.

Mr. President, the difficulty I find with this amendment is that the proposition is too indefinite. I should not favor the half-and-half system being changed until something definite is proposed. I would suggest that an inquiry be made with respect to the matter. It seems to me a plan which would produce absolute equality would be to let the Government pay taxes upon all of its property. When it does that there will be produced a condition of affairs which will result in equality as between the property of the District and the property of the United States.

It would be an outrage to compel the District of Columbia to maintain government here and at the same time exempt the Government of the United States from the payment of taxes. In most cities where there is a post office or other public building such property is exempt, but when you consider the vast amount of property the Government owns here it would be absolutely a matter of inequality to say that the District of Columbia should pay all of the taxes. It seems to me a fair way would be for the Government to pay taxes upon its own property.

Mr. KENYON. I will call the Senator's attention to the suggestion which he has made as to this policy drawing from other cities those who seek to avoid the payment of just taxes. It was related on the floor of the other House—and I have not seen it denied, though I have not investigated the matter to ascertain whether or not it was a fact—that a very wealthy citizen of Michigan, who died a few weeks ago, and who was worth some \$20,000,000 in money and credits, recited in his will that he was a resident of the District of Columbia. Consequently his moneys and credits were not taxable. Upon investigation it was discovered that he had purchased a little place here worth six or seven thousand dollars or thereabouts and put into it a little furniture, though when he came here he always stopped at the Willard Hotel. If those facts are correct—and I assume that they are—that was done just along the line to which the Senator from Colorado refers—to escape the payment of taxes; it was to cheat the people of his State out of the taxes to which they were justly entitled on his money. When that is done, a wrong is inflicted not only upon the man who perpetrates it but upon the people of his State. The policy of exempting from taxation moneys and credits and of assessing only a low rate of taxation on real

estate has made Washington the rendezvous for wealthy tax dodgers of this country.

Mr. SMITH of Georgia. Mr. President—

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Georgia?

Mr. KENYON. I do.

Mr. SMITH of Georgia. The Senator from Iowa has just brought out the feature which I desired him to bring out, that in the District of Columbia residents pay no taxes on stocks and bonds, none on bills receivable, none on money, none on any kind of obligations that they hold; they are entirely free from such taxation.

Mr. KENYON. And is not that a most unjust thing?

Mr. SMITH of Georgia. And their real estate is assessed 1 per cent; that is the total tax on real estate in the District of Columbia for every purpose. It is not only the city tax, but it is the entire tax. Under the system of taxation here the taxes are less, so far as I can ascertain, than they are in any other place of its size of which I know.

Mr. BRISTOW. Mr. President—

Mr. SMITH of Georgia. Just one other word, and then I shall conclude.

I am in favor of making Washington the most beautiful city in the world, and I am in favor of contributing from the National Government all that is necessary to make this city beautiful. What I do think, however, is that the people of this District and of this city ought to pay taxes as do the people of other cities.

Mr. KENYON. Why should they not?

Mr. SMITH of Georgia. After they have done that, if more than they pay is needed to take care of the city, to make it what the Nation expects it to be, I am ready to see it paid out of the National Treasury.

Mr. KENYON. If the people of this city pay less than a fair rate of taxation, somebody else in some other part of the country is paying more than a fair rate of taxation to contribute to the people here. That is undoubtedly true.

Mr. CLAPP. Is not Congress to blame for any defect there may be in the system of taxation here?

Mr. KENYON. We are trying to remedy it right now.

Mr. NELSON and Mr. BRISTOW addressed the Chair.

The PRESIDING OFFICER. To whom does the Senator from Iowa yield?

Mr. KENYON. I yield to the Senator from Minnesota.

Mr. NELSON. Mr. President, the vice of the system of taxation in this District is that only real estate and tangible personal property are assessed. This is the language of the law:

All tangible personal property and all general merchandise in stock or trade.

Millionaires may come here, rent houses, and live in this city, leaving their own locality, escape taxation, and not pay a cent of taxes to the support of the city of Washington. If there was a system of imposing taxes on credits, as I call them, mortgages, bonds, stocks, and bills receivable, as is the case in all other localities, it would be an easy thing for the city of Washington to maintain its own government, and the real estate taxes would be even lower than they are to-day under the present system. The millionaires whose property consists of credits have absolute immunity, and, under the vicious system that prevails here to-day, the owners of real estate have to suffer for it. Even under the present system the real estate taxes would not be half what they are to-day if the wealthy had to pay taxes on their credits. I hope that the Committee on the District of Columbia will prepare and inaugurate a system of taxes for the District of Columbia such as prevails in other parts of the country.

Years ago my attention was called to this matter by a gentleman who has been dead for many years, but who used to own real estate in Minnesota. He was continually fighting his taxes, and I was engaged in many suits as his attorney to defeat tax titles which had been secured against his property. Finally, after I became a Member of the House of Representatives, I met the old gentleman and his wife here. They had no children and they came here every winter, and remained the rest of the time in a city in a State not a thousand miles away from here. One day I asked him, "Why do you stay here in the winter, and why do you stay the remainder of the time in this city up north? Why do you not remain in Minnesota where your lands are?" "Oh," said he, "in Minnesota you tax my credits; here in Washington and up in this city north of here I am perfectly immune, and I do not want to pay more taxes than I can help."

You talk about beautifying the city, but morally you have not beautified it; morally you have made it a haven for mil-

lionaires, who come here with their stocks and bonds, enjoy the blessings of this city, and escape taxation. Before you talk about beautifying the city physically beautify it from a moral standpoint, beautify it so that the wealthy men who come here, and who make it a haven of rest, will have to bear a part of the burdens that the rest of the people have to bear.

Mr. MARTINE of New Jersey. I should like to ask if the Democratic income tax will not reach those fellows?

Mr. NELSON. That reaches them all over the country.

The PRESIDING OFFICER. Does the Senator from Iowa yield, and to whom?

Mr. KENYON. I yield to both Senators.

Mr. MARTINE of New Jersey. Mr. President, I should like to say a word regarding this matter. I have not heard much protest against the half-and-half system which, as I understand, now prevails here, and I think, sifted down to its finality, the provision which the Senate committee has reported to strike out is an effort to abolish the half-and-half system.

I know what it is to have real estate and to be real estate poor; I have been real estate poor all my life. I feel this way in regard to this matter: This is our Capital; we are all proud of it; this is the grandest country and the grandest Capital in the world; so men who have traveled tell me; and I feel it is part of my duty not only to legislate for the general welfare of my Commonwealth and of the country, but to make this city even more beautiful if I can. Without endeavoring to be extravagant or unjust to anybody, I purpose to vote that way.

Amongst other reasons, Washington is beautiful because of its superb avenues, which are so immense in width. Ordinarily in our cities we think—and I have laid out many avenues—an avenue 60 feet or 66 feet—1 chain—wide, with 36 feet of roadbed and 12 feet on each side for sidewalk, is a splendid boulevard, but it is not so considered in Washington. Here we have streets 150 feet, 200 feet, 300 feet wide, with sidewalks 30 feet wide, all costing an immense amount of money to lay out and to maintain. If the entire burden were placed on abutting property owners, it seems to me that it would be excessive. The space devoted to streets and avenues tends to make the city beautiful, but at the same time involves great burdens for improvement and maintenance.

As to the particular feature about which the Senator from Minnesota [Mr. NELSON] speaks, I shall not take issue especially, but I say that from my standpoint and judgment, as a practical man, it would be little short of cruelty to burden the average property holder in Washington with any more than he pays to-day. While I am not a property holder here, as a practical man who has done much work along the line of urban development elsewhere ever since I was a boy, I do not consider it any "cinch" to own property in Washington at all. I look around and I am astonished to find so many empty houses. In company with a gentleman from New York a couple of weeks ago I walked down Massachusetts Avenue, a beautiful, glorious street, but it was flanked on each side with houses bearing placards "For sale" or "To let," and some of the houses were covered with placards to such an extent that you could not tell whether the building was made of stucco, brick, or shingles.

Furthermore, it is said that the Government owns one-half of the property in Washington, including great parks and areas on which no taxes are levied. Somebody pays it all, and it is now paid half by the people who live here and half by people who live somewhere else.

I feel that we are doing fairly well, so far as the general system of government is concerned, in the District of Columbia. The government of the District of Columbia is run on the commission plan, and I have been an advocate of the commission plan of city government for a great many years of my life. I believe that Washington is about as well regulated socially, morally, and industrially and in every other way municipally as is any other city of which I know anywhere in this country.

In the Senator's effort to reach those worth a million dollars or five hundred thousand dollars or thereabouts who come here to shirk paying taxes on their credits I will join him in doing everything I can, for they are the ones I am after. I want to have the burden shared as nearly equitably as can be, and I believe that the Democratic Party, in ascendancy in the Senate and in the Nation, in the matter of the income tax has at least taken a step in the right direction.

Mr. KENYON. Mr. President, my good friend from New Jersey has earned first place in the headlines of to-morrow morning's papers in the city of Washington.

Mr. MARTINE of New Jersey. I had no such thought.

Mr. KENYON. And I presume he will be congratulated as a great patriot and statesman.

Mr. MARTINE of New Jersey. That is all very fine, but that does not appeal to me.

Mr. KENYON. I wish I could get him to come over and sit down here and let me pound the facts into him a little while, especially as to how the present rate and method of taxation bears unjustly on the homes of the poor in the city of Washington. The Senator will realize, I am sure, that if a fair tax is not levied on the people of this District, in compelling the Government to contribute one-half to the expenses of the District, we are imposing an additional burden on the homes of the poor man in the State which the Senator so well represents here.

The argument about a beautiful city, the wide streets and wide sidewalks which may be necessary in a place where Congress meets, is beautiful; it appeals to everybody and nobody disputes it; but above beauty and above wide sidewalks and boulevards is that element of simple justice to the people of this country; and the Senator from New Jersey, for whom I have unbounded—

Mr. CLAPP. Mr. President—

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Minnesota?

Mr. KENYON. I should like to finish the tribute to the Senator from New Jersey.

Mr. CLAPP. By all means finish the tribute.

Mr. KENYON. No; I will yield to the Senator from Minnesota at this time.

Mr. CLAPP. Mr. President, I am in hearty sympathy with the Senator from Iowa, and the fact that he took a certain view upon a question would lead me, certainly in the absence of some strong evidence to the contrary, to adopt that view; but is not the Senator getting adrift from the point? In other words, are there not two distinct propositions presented here, the first of which is to reform the tax laws of the District of Columbia, so that the wealthy man who has put his property in intangible form can no longer escape taxation?

It seems to me that is the first thing we should undertake. Congress is to blame for a law under which the man who owns a small home here pays a large tax, while the man who comes here with vast sums invested in intangible property escapes taxation.

Mr. KENYON. As long as the Government is paying half of it, it is to the interest of the man with the large property to hold down the taxation rate; otherwise it will appear that a fair valuation and a fair rate of taxation will raise so much money that it will not be necessary for the Government to contribute. So he brings to bear every influence he can, in various ways, to hold the rate down, in order that there may be no excuse for the Government withdrawing its hand, and that is an influence that is powerful.

Mr. CLAPP. That is true; but that, on the other hand, it seems to me, goes directly to the half-and-half plan.

Let us see what the amendment of the Senator would do for the man in Washington who has a small home, and who, we have all to recognize, in Washington and everywhere else, pays more than his just share of the tax. The tax has already been levied against that man's home under a law which exempts the rich man from any tax upon intangible property in the form of credits and such things.

Mr. KENYON. This, the Senator will understand, is the estimate for 1916.

Mr. CLAPP. Exactly.

Mr. KENYON. I do not know whether it has been levied or not.

Mr. CLAPP. Theoretically it is levied, because the rate and the amount have been prescribed by law. Now, if in a given year, under this law, which prescribes the rate and the amount, the tax raised by the District should fall short of its share, it leaves the District with a floating debt which the property of the District must subsequently pay, as has been the experience of the District in the past; and in the past that debt has been made good in the years when the tax under the congressional levy exceeded the amount required by the District to meet the appropriations of the Federal Government. Now, what is bothering me is, inasmuch as we have held the District liable when it fell short, and have required the District to make good and to pay back its floating debt, is it fair now, under a levy which exceeds the amount it requires, that we shall absorb that amount ourselves, or use it, but recognize the moral obligation to repay it to the District when the time comes? That, it seems to me, is the question.

Mr. KENYON. I should like to answer that question.

Mr. CLAPP. That is what I should like to have answered.

Let it be understood that I should like to see the law so framed that these men could not escape taxation. In our State we have framed laws by which we reach that kind of estates

and that kind of property. I believe a law could be framed for the District of Columbia that would reach that kind of property and no longer make this city the haven of the wealthy tax dodger; and in proportion as that was done the burden would be lifted from the man who has the little home, but who, under existing conditions, pays more than his share of the tax.

It strikes me there are two propositions there that are distinct and separate.

Mr. KENYON. Mr. President, if I did not know the Senator from Minnesota so well, I would almost be suspicious, from his talk concerning the homes of the poor man in this community, that he had attended one of these meetings of the select committee of one hundred who meet in the red room of the Willard.

Mr. CLAPP. Mr. President, I have never attended one of those meetings.

Mr. KENYON. No; I know the Senator has not.

Mr. CLAPP. But as a taxpayer and as a student of public questions I know what the Senator from Iowa knows and what every man of public experience knows—that in the last analysis the burden of taxation falls upon the man of small means.

Mr. KENYON. That is exactly what I am going to show to the Senator, from the report of the committee in the House, is done in the District of Columbia.

Mr. CLAPP. I know it is done. I know that the man who owns valuable real estate does not pay his share. Now, does the amendment of the Senator—

Mr. KENYON. It is not my amendment.

Mr. CLAPP. I mean the Johnson amendment. Does it meet that condition? Does it equalize or will it tend toward equalizing—for we never can completely equalize—the burden of taxation? If it does, I shall be heartily for it. I may be for it, anyway. I am not prejudging the case.

Mr. KENYON. I never have much difficulty in agreeing with the Senator from Minnesota on any proposition; but this talk about the poor man's home and what this amendment will do to the poor man's home is exactly the talk of the select committee who meet in the red room of the Willard and, over champagne and caviar sandwiches, regret the injustice that will come to the homes of the poor people of the District of Columbia by the adoption of the Johnson amendment. I want to call the attention of the Senator—and I agree exactly with what he says—to the fact that the burden of taxation comes upon the homes of the poor, and they are not able to avoid it.

Here is the report made by a committee of the House of Representatives in 1912. That committee divided Washington into six districts, and a map is attached to the report showing these different districts. They took an area covering 40,000 homes of the poor people; they took an area covering the homes of the rich; they took a suburban area; and they took a business area. Now, will the Senator listen to what they said?

That real property in the District of Columbia is assessed \$414,000,000 below its true value—

They took testimony on this subject, and I have the hearings here—

the true value being \$744,000,000, while the assessment is only \$330,000,000. This is not an assessment at even two-thirds of the true value, but only slightly more than two-fifths—

Though the law prescribes that it shall be not less than two-thirds.

That this underassessment does not attach equally to land and improvements, but overwhelmingly to land. Land is assessed at \$169,674,000, one-third of its true value; improvements are assessed, for the triennial period just closed, at \$160,648,481, two-thirds of their true value.

That with respect to improvements there is great discrimination between classes, the 40,000 small homes of Government clerks and workmen generally standing assessed at an average of 90 per cent of their true value, while the fine residences of the northwest show an average of but 50 per cent. Even by the two-thirds rule this shows that the little homes in the District are grossly overassessed.

And yet the great complaint that is made about the injustice of this matter to the homes of the poor comes from these people who are under the 50 per cent assessment. Those are not my words. They are the words of this report, after a long and exhaustive examination of the question of taxation in this District. While this was going on—and I do not say it as a criticism of the gentleman; his letter appears in the report—Mr. Pinchot wrote a letter to the committee stating that he had discovered that his home was assessed \$40,000 less than it should be. That report points out the home of one United States Senator—I do not know whether the assessment there was made while this man was a Senator or before he acquired the property; I think it was before he acquired it—showing

how that was grossly inadequate. Then this report goes on with many things.

Mr. SMOOT. Mr. President—

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Utah?

Mr. KENYON. Certainly.

Mr. SMOOT. Just for information, I do not understand how the assessment could be 90 per cent of the value upon any property in the District of Columbia. I will say to the Senator that the experience I had in the District was about as follows:

The first time I was assessed upon property in the District of Columbia I was asked what my property cost. I showed them just exactly what I paid for it, and they said that under the rule the property was to be assessed at two-thirds of that value. From that day to this I have paid an assessment on two-thirds of the actual cost of my property. Not only that, but I was required to show the invoices of all my household furniture, and I am assessed to-day for more than everything that is in the house would sell for.

There is not any question at all about that. I do not understand how a report of that kind could be made by anybody who would make an examination, because they do not profess to assess property at more than two-thirds of the value.

Mr. KENYON. The statute reads, "not less than two-thirds."

Mr. SMOOT. But, I say, they do not profess to do it.

Mr. KENYON. Nobody knows what they profess to do.

Mr. LANE. Evidently the Senator from Utah is one of the poor people whom the Senator from Iowa is complaining for.

Mr. SMOOT. I am not saying anything about whether I am poor or whether I am rich or in what section of the city I live, or anything about it. I am simply asking as to a report which states that there are some 40,000 homes here that are assessed at 90 per cent of their actual value. I can not understand that in the District of Columbia, because the assessor who came to me asked me what my place cost, and I showed him, and he said that under the law I should be assessed at two-thirds of that cost.

Mr. LANE. The Senator's explanation seems to fit the description which the Senator made of these poor people who are overburdened with taxation, and I presume it must apply to him.

Mr. SMOOT. Of course, there is no need for my answering the Senator.

Mr. KENYON. This is all good-natured. It is a good-natured controversy. We are all seeking light, I assume. Here are 456 printed pages of the testimony, I will say to the Senator from Utah, taken before that subcommittee of the House of Representatives in which these matters are covered.

Mr. CLAPP. Mr. President, it is easy to see how property could be assessed at 90 per cent or 150 per cent under a law that requires that it shall only be assessed at two-thirds of its value, because no two men might agree as to the value of it. For these indiscriminate, minor, humbler places there is no standard such as there is on bank stock or bonds.

It is all a waste of time, in my judgment, and always has been, to talk about the assessment in a city being limited to a fixed valuation. Some of the property is assessed at more than it is worth and a great deal of it is assessed at very much less than it is worth. That is human experience.

Mr. KENYON. Undoubtedly.

Mr. CLAPP. There is no absolute, arbitrary line where you come to put the dollars and cents opposite the description of the property.

Mr. KENYON. I want to place in the RECORD a statement or two on this very subject from the testimony before the committee of Mr. Gompers, the president of the American Federation of Labor. Mr. Gompers says, in response to a question:

For years I have known that this discrimination was being practiced, and that a very high valuation was being placed upon the small houses owned or occupied by the poor people as compared with the valuations placed upon the mansions and business houses and speculative areas of all kinds. I know of it by reason of coming in contact with men and hearing directly their complaints and their protests, but I was so busily engaged in another line of this uplift work that I could not give much of my attention to it. I felt it just as keenly, though I was unable to give my attention to the subject.

I ask permission to place in the RECORD, since my argument has been rather broken up by so many inquiries, a letter from Mr. Powderly on the same subject, which appears in the document referred to, concerning the taxation in the District of Columbia; also the letter I have mentioned from Mr. Pinchot, and the reply thereto by Mr. George.

The PRESIDING OFFICER. The Senator from Iowa asks permission to insert in the RECORD certain documents. Is there objection? There being none, it is so ordered.

The matter referred to is as follows:

LETTER FROM HON. T. V. POWDERLY.

WASHINGTON, D. C., June 8, 1912.

HON. HENRY GEORGE, M. C.

Washington, D. C.

DEAR SIR: I take the liberty of directing your attention to what I am persuaded is an evidence of injustice in the system under which assessments are made in the District of Columbia. As I view it, the assessing of a vacant lot, one lying idle, at a low rate and at the same time levying a high tax on a neighboring lot because it has been improved is like compelling an industrious man to feed an idle one because the latter won't work.

John Bertram, an invalid soldier and an honorable, respected citizen, and Mary Bertram, his wife, own lot S 99, in square 1051, on Florence Street NE. Last year they paid \$15.89 tax on their property. This year they paid \$23.89. Mrs. Bertram, who helps with the work in my house, tells me that nothing in the way of improvement has manifested itself along or on Florence Street. In answer to my inquiries, she finally admitted that she had been guilty of planting a crimson Rambler rose alongside of her little porch, and that the brilliant clusters now adorning it are made more pronounced and conspicuous when contrasted with a fresh coat of paint recently applied to her home. She has been indiscreet enough to keep her back yard in such apple-pie order as to win the approval of the inspector who made a tour of the neighborhood a short time ago. He said: "There is no need of inspecting this yard, for it is as clean as a New England kitchen."

These two good people didn't realize that in beautifying their home they might be fined for doing so. Once when your honored father returned from Ireland he told me that he no longer wondered at the apparent indifference of the Irish people to the appearance of their homes, for, said he: "If they administered a coat of whitewash to the little cabin, the rent is raised; if they grow flowers in the yard, the landlord adds to the rent burden, and so its cheaper not to improve the appearance of the place." I sometimes think we have traveled far on the road toward a similar condition of affairs in the United States, and particularly in the Capital of the Nation.

I have the honor to be, very truly, yours,

T. V. POWDERLY.

CORRESPONDENCE WITH HON. GIFFORD PINCHOT.

GREY COWERS,

Milford, Pike County, Pa., July 12, 1912.

HON. HENRY GEORGE,

United States House of Representatives,

Washington, D. C.

MY DEAR MR. GEORGE: Your committee, I learn, has developed the fact that many small owners of property in the District of Columbia are taxed on an assessed valuation far greater than the two-thirds of the real value provided for by law, while many of the large owners of property are taxed on very much less than the two-thirds provided by law. In this way the poorer men are taxed most heavily, and those who are richest pay the least in proportion. I am told that this is generally true in the District.

When these facts came to my knowledge they led me to investigate the assessment of my own property, to which I had hitherto given no attention. Accordingly, I asked two well-known real estate men to estimate the value of the land and improvements on which I am taxed. Their estimate leads me to believe that I have been taxed on a valuation about \$40,000 too low. In other words, at the current rate of taxation, the assessor has not assessed against me about \$600 of yearly taxes that I ought to have paid, and has assessed that amount on others less able to pay it. This is unjust. Therefore I put the facts in your hands for such use as you see fit to make of them.

Yours, sincerely,

GIFFORD PINCHOT.

JULY 16, 1912.

HON. GIFFORD PINCHOT,

Milford, Pike County, Pa.

MY DEAR MR. PINCHOT: I am just in receipt of your public-spirited letter of the 11th. You are entitled to all honor and the unique distinction of being the first wealthy man in the city of Washington, if not in the United States, to come forward and volunteer the information that his own property is grossly underassessed.

I find on examination that your residence in Washington consists of the triangle adjacent to Scott Circle, bounded by Rhode Island Avenue, Seventeenth and N Streets NW. It contains 11,938 feet of ground and two connected residences. Messrs. Story & Cobb, who valued the property at your request, placed upon the whole property a—

Valuation of.....\$248,000

Of which the legal two-thirds assessment is.....165,333

The property is assessed:

Ground—

9,378 feet, at \$4.....\$37,512

1,280 feet, at \$2.60.....3,328

1,280 feet, at \$2.75.....3,520

Improvements.....65,000

Do.....12,000

121,360

Underassessed.....43,973

Assessed at.....per cent.....49

The underassessment of your house of \$43,973 is nearly offset by overassessment in—

Square 785, 23 houses, increased.....\$3,500

Square 844, 21 houses, increased.....5,000

Square 846, 23 houses, increased.....4,800

Square 949, 34 houses, increased.....7,600

Square 974, 32 houses, increased.....8,000

Square 944, 42 houses, increased.....8,000

Square 992, 28 houses, increased.....6,300

Total, 203 small houses, mostly old, the total improved

valuation on which was raised from \$183,300 in 1911 to

\$226,500 in 1912.....43,200

Total increase.....213

Average increase.....

These houses, almost without exception, are the houses of wage earners with large families, who are forced to the most stringent economy.

The same condition of underassessment exists in practically every valuable high-class piece of property in the District of Columbia, and in far graver degree than in the case of your property.

In behalf of the special committee of the District of Columbia of the House inquiring into the assessment and taxation of real estate in the District of Columbia I present the warmest sentiments of appreciation of your voluntary letter of information as an act of high public service.

Yours, sincerely,

HENRY GEORGE, JR.

Mr. KENYON. The fundamental point I am trying to make is that a fair taxation in the District of Columbia, like unto that borne by the people of other cities, would make it unnecessary for the Government to contribute the large sum the Government now has to contribute to conduct the affairs of this District.

This report sets out the case of the New Willard Hotel, and states that the lowest possible construction cost of the superstructure was placed at \$1,500,000. The assessment on the superstructure was but \$700,000. Under the two-thirds rule the superstructure should have been assessed at not less than \$1,000,000; and the claim of the assessor that this magnificent, thoroughly maintained, and enormously profitable hotel should be allowed a 30 per cent reduction for deterioration is without justification.

The case of the New Willard is but one illustration. If these properties bore a fair rate of taxation, there is not anybody in this country, there is nobody in my State or in any other State, who would object to contributing whatever may be necessary to make this the most beautiful capital in the world; but they do have a right to object, and they are going to object, regardless of all sneers or abuse, to paying a fair measure of taxation in their own city and in their own State and, in addition to that, a higher rate of taxation in order that the rich people of the District of Columbia shall pay less than a fair rate upon their property.

That is the question involved in this Johnson amendment. We listened yesterday, or the day before, to some observations from the distinguished Senator from New York [Mr. Root], whom we all like to hear, about economy when the question was here as to Congress paying some \$600,000 that had been incurred by the President, and, as I view it, rightfully incurred, to go down and help in a time of great emergency in our troubles with Mexico. With that profoundness which characterizes his utterances he said that we should be very careful, and it was our duty to find out how the money of the Government was spent. I agree heartily with this sentiment. Here is \$2,000,000 that can be saved to this Government, three times the amount that all this fuss was made about by the Senator from Utah [Mr. Smoot] concerning the transports. Yet, when anyone says anything about it, the subject of taxation in the District of Columbia seems to be such a sacred subject, if he merely pleads for fair play for the people of the country he is branded as everything newspapers can think of. Members of the House who opposed this are engaged in making speeches, I notice, in the District of Columbia, in which they tell how some farmer comes here from Iowa and knows how to run the District better than anybody else. I am glad that a real farmer from Minnesota has joined in this fight merely for justice. Farmers stand for exact justice. I raise my voice in honor to the distinguished Representative from Kentucky, whom I do not know, Mr. JOHNSON, who at the last few sessions of Congress has fought this battle. He has been snubbed, ostracized, and regarded as an anarchist in the District of Columbia, but he has simply fought a decent, fair fight for justice; and also the distinguished Congressman from Iowa, Judge PROUTY, who has brought his great ability into this fight.

I want to put in the RECORD a few matters. I have not been able to follow any logical outline in this discussion. Mr. PAGE of North Carolina said in the House, in speaking on this subject:

You must admit one of two things—that we have either got too much money or that we must be spending too much money, and spending it, too, unwisely and wastefully. This has been referred to as the organic act, but there is nothing more organic about it than any other statute that is written on the books by the Congress. It is sacred in the eyes of a certain element in the District of Columbia; but I say to you that unless you change that law—and this is the responsible body for the government of the District of Columbia, and the responsibility rests with us—unless you change the law that provides that the National Government must match every dollar that is raised in taxation in the District of Columbia and expended in this District, you must make up your mind that you are going to spend money with recklessness and waste. The system has broken itself down, and it has broken itself down in spite of what the gentleman from Iowa [Mr. PROUTY] said to you is true—that the amount of taxes levied and raised upon the property in this District is less both in assessment and in rate than in any other city in the United States of America; in the face of the fact that, so far as my observation goes, no other population in the United States enjoys as great privilege as do the private citizens of the District of Columbia. The time has come, in my judgment, when this Congress should change this law and place it upon a basis of fairness and equity—fairness to

the general taxpayers of the United States—and deal out nothing more than exact justice to the property owners of the District of Columbia.

He says he lives in a village of less than a thousand people in North Carolina; that he pays "more taxes, twice over, than are paid in the District of Columbia by any citizen in it, because," he says:

I pay not only a tax upon the property that I own for the purposes of that village but I am assessed, as are you, for the maintenance of your county and the maintenance of your State. And the tax rate in the State of North Carolina amounts to more than 2 per cent for a man who has a municipal tax to pay.

Now, Mr. President, the people of the District of Columbia have no right to complain over the Johnson amendment. I wish to call attention to tables that were set out in the discussion in the House by Representative PROUTY of my State, and some tables also set out by Representative JOHNSON of Kentucky as to the rate of taxation in certain cities of the United States, based on full value:

Washington, 10 mills; Boston, 17.2 mills; Bridgeport, Conn., 16.5 mills; Brooklyn, N. Y., 18.5 mills; Buffalo, 22.9 mills; Cambridge, Mass., 19.8 mills; Chicago, 17.1 mills; Cleveland, 18.8 mills; Des Moines, 22.2 mills; New Haven, Conn., 19 mills; New Orleans, 17.2 mills; Philadelphia, 15 mills; Syracuse, N. Y., 20 mills.

And so it goes down with the items which I submit as a part of my remarks to be inserted in the RECORD.

The PRESIDING OFFICER. In the absence of objection the table will be inserted in the RECORD. The Chair hears none, and it is so ordered.

The table referred to is as follows:

Rates of taxation in certain cities based on full value.

	Mills.
Boston	17.2
Bridgeport, Conn.	16.5
Brooklyn, N. Y.	18.5
Buffalo	22.9
Baltimore	19.8
Cambridge, Mass.	20.4
Camden, N. J.	20.0
Charleston, S. C.	25.0
Chicago	17.1
Cincinnati	15.6
Cleveland	18.8
Detroit	19.9
Des Moines	22.2
Fall River, Mass.	20.3
Grand Rapids	21.4
Jersey City	21.2
Lawrence, Mass.	18.0
Lincoln, Nebr.	19.7
Lowell, Mass.	19.4
Indianapolis	15.8
Lynn, Mass.	20.0
Milwaukee	17.6
Minneapolis	17.9
Newark, N. J.	20.2
New Bedford, Mass.	20.2
New Haven, Conn.	19.0
New Orleans	17.2
New York	18.2
Philadelphia	15.0
Pittsburgh	15.3
Providence	20.5
Rochester, N. Y.	19.3
Springfield, Ill.	18.2
St. Louis	15.1
St. Paul	17.6
Syracuse, N. Y.	20.0
Tacoma, Wash.	21.7
Trenton, N. J.	20.0
Utica, N. Y.	22.0
Washington, D. C.	10.0
Average, 19 mills.	

Mr. KENYON. Mr. President, since 1878 the Federal Government has paid one-half of the expenses of this city; one-half of the schooling of the children of this city. I am not able to understand just why the people of my State or the people of Mississippi should pay for the schoolbooks for their own children and then come here and pay half the cost of the schoolbooks and schooling for the children of this District. It may be that it is all right, but I can not see the justice of it. They pay one-half the cost of the sewers, one-half the cost of the police protection, one-half the cost of the fire protection. The expenses of running this municipality average about \$14,000,000 a year, which is more than the entire expenses of running many States in this Union.

Mr. SHEPPARD. Mr. President—

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Texas?

Mr. KENYON. I do.

Mr. SHEPPARD. Has the Senator discussed the effect of the half-and-half plan on the licensing of saloons in the District?

Mr. KENYON. I have not.

Mr. SHEPPARD. As I understand it, the District government charges a license fee of \$1,500, and the Federal Government, under this half-and-half plan, pays to the District an

additional \$1,500. The Federal saloon license is only \$25. Consequently there is paid a practical bounty of \$1,475 to the District government for each saloon it authorizes.

Mr. KENYON. I should like to get that clear in my head. Does the Senator mean that the people of this country are contributing in the amount of \$1,450 as a bonus to each saloon in the District?

Mr. SHEPPARD. Not to the saloons, but to the District government for each saloon.

Mr. KENYON. To the District for each saloon authorized?

Mr. SHEPPARD. Certainly. A part of the money that the District raises for its expenses is from the license fees of saloons. Under the half-and-half plan the Government must put up dollar for dollar with the District. The Government therefore pays to the District \$1,500 for each saloon that it authorizes. Consequently it is to the interest of the District government to authorize as many saloons as possible.

Mr. VARDAMAN. The Senator does not assert as a matter of fact that the General Government contributes to the District of Columbia \$1,475 for each saloon licensed in the District of Columbia?

Mr. SHEPPARD. That is my understanding.

Mr. VARDAMAN. That is the most outrageous thing I ever heard of.

Mr. KENYON. I will wait to hear some defense of that proposition from the opponents of the Johnson amendment.

Mr. SHEPPARD. I see that the chairman of the Committee on the District of Columbia is present.

Mr. KENYON. I should like to ask him if that is possible?

Mr. SHEPPARD. I ask him if a bill did not pass the House providing that this practice should be stopped, and if the bill is not now pending before his committee?

Mr. SMITH of Maryland. Not that I am aware of.

Mr. SHEPPARD. It is my impression that such a bill passed the House providing that this practice should no longer be permitted by the Federal Government, and that an amount equal to the amount charged for each saloon license fee by the District should not be paid.

Mr. SMITH of Maryland. If there is such a measure, I say to the Senator from Texas that I know nothing about it.

Mr. SMITH of Georgia. Mr. President—

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Georgia?

Mr. KENYON. I yield to the Senator, and I would be glad if he would answer that question.

Mr. SMITH of Georgia. I do not know about that.

Mr. KENYON. I yield, anyway.

Mr. SMITH of Georgia. I am not on the District Committee and I am not familiar with it. I want to ask the Senator from Iowa if I state correctly the situation as presented by the estimated revenue and the proposed appropriations. The revenue of the District it is estimated, according even to the present low system of taxation, will be for the coming fiscal year some \$7,800,000.

Mr. KENYON. That is correct.

Mr. SMITH of Georgia. The necessary appropriations are about \$11,700,000. So if the estimated appropriations are correct, even at the present low system of taxation, the taxes raised in the District will a good deal more than pay one-half of the expenditures for the ensuing year.

Mr. KENYON. Two million dollars over.

Mr. SMITH of Georgia. Two million dollars over. So the Government can furnish to the District the amount necessary to carry the required disbursements for the coming fiscal year by appropriating—

Mr. KENYON. About three million and a half instead of five million and a half.

Mr. SMITH of Georgia. Three and a half million instead of five and a half million dollars.

Mr. KENYON. That is the concrete proposition.

Mr. SMITH of Georgia. The question is whether we shall insist upon making it half and half when the present system of low taxation in the District, with its partial exemption of personality, would furnish more than half the amount required.

Mr. KENYON. Exactly. The question is whether we shall give \$2,000,000 more than is necessary to carry on the government of the District.

Mr. SMITH of Georgia. Now, I want to ask the Senator another question. Has there been any estimate made of the value of the Government property in the District and a comparison made between the value of the Government property and the value of the balance of the property in the District?

Mr. KENYON. There has.

Mr. SMITH of Georgia. Of course, in presenting this question I do not mean to include the parks.

Mr. KENYON. I understand.

Mr. SMITH of Georgia. I regard the suggestion that we should estimate the parks as belonging to the Government and charge them up to the people of the whole country to be taxed, when they are here for the good of the citizens of the District, as really ludicrous; but eliminating the parks that the Government has furnished to the citizens of the District, and taking the real substantial property used for the Government, how does the value of the Government property compare with the value of the District property?

Mr. KENYON. I have the figures somewhere here. I do not know that I can turn to them just now, but I will later. However, in a statement issued—

Mr. SMITH of Georgia. Roughly, about what? Are they equal?

Mr. KENYON. No; it does not equal half.

Mr. SMITH of Georgia. Not half as much?

Mr. KENYON. Not half as much. I will give the exact figures before I am through.

Mr. JAMES. Mr. President—

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Kentucky?

Mr. KENYON. I do.

Mr. JAMES. The Senator from Georgia by his question would seem to indicate that he thought the Government ought to pay taxes upon its own property here. Does the Senator know of a State in the Union that has a capital city which requires of the State taxes upon the capitol or the property of the State situated in the city?

Mr. KENYON. No.

Mr. SMITH of Georgia. I ask the Senator from Iowa to allow me to answer the question of the Senator from Kentucky.

Mr. KENYON. Certainly.

Mr. SMITH of Georgia. I want to say to the Senator from Kentucky that I did not mean to indicate my own opinion on this subject and I recognize that his suggestion is true. There is not a city anywhere, so far as I know, in which the State pays to the municipal government taxes upon the State property. But this is what I desired to do: It has been suggested that the Government owns so large a part of the property in the District that the Government ought to pay half the expenses of the District. I wanted to point out the fact that if we recognize the value of the Government property in the District and if we were going to pay taxes upon it just as taxes are paid upon property in the District, even then the Government would contribute only about one-third or one-fourth of the expenses of the District and not half of it. I did not mean to imply, as the Senator seemed to think, that I thought the Government ought to pay taxes on its property.

Mr. JAMES. I do not think there is the slightest merit in the suggestion that because there are many public buildings here which constitute the Capitol for that reason we ought to pay the taxes on them. I know we do not pay any taxes upon the capitol at Frankfort to the municipality. The Capitol is a benefit to the city of Washington instead of a burden.

As to the question of policing the Capitol Grounds, that is not done by the municipality in the slightest degree. It is done at the Government's own expense. You may go over all the Capitol buildings here and you will not find a single city policeman who is exercising control or extending protection over them, but that the expense is paid directly out of the Treasury of the people of the United States.

Mr. KENYON. And that is also true of the parks.

Mr. JAMES. It is absolutely true of the parks also.

Mr. NELSON. The Senator might add that these buildings are lighted and heated by the Government, not by the municipality.

Mr. JAMES. Certainly. All the parks are kept up at at least half the expense of the Government, and generally at the whole expense of the Government. I see no more reason why the people of the country should be taxed to keep up the schools of Washington and pay half the expenses of running this municipality by reason of this city being the Capital, furnishing the people who live here the largest pay roll in the world, than there is that the people of Kentucky should pay taxes on the capitol at Frankfort to the municipality in which it is situated.

Mr. KENYON. I want to ask the Senator from Kentucky whether in the case of the Federal buildings erected in his State he ever knew of a municipality wanting to have any taxes paid on them by the Federal Government?

Mr. JAMES. I never heard of such a thing.

Mr. KENYON. They are always exempt.

Mr. JAMES. I do not believe there is a single State in the Union or a single legislature in a State of the Union where it

was ever suggested that the people of the State should be taxed for the capitol that has made the capital city what it is.

Mr. GALLINGER. Mr. President—

Mr. KENYON. I yield to the Senator from New Hampshire.

Mr. GALLINGER. I had supposed that I knew something about the District of Columbia, but I am getting considerably muddled in this debate. I am unavoidably called from the Chamber, and I trust this matter may not be disposed of to-night, because I want to make a few observations upon it. I will content myself now by saying that it is a most extraordinary suggestion that the Government, owning, it is estimated, nearly one-half the property in the District of Columbia, should not in some way make a contribution to the support of the government here, which is under the absolute control of the Congress of the United States. Citizens have no rights here except to pay taxes and to draw salaries.

Mr. President, all this talk about what the Government contributes to the District of Columbia amounts to 7 cents per capita on the people of this country. The people of New Hampshire are willing to pay it. They would like to pay more and make this city still more beautiful than it is.

It must be remembered that the estimates for the appropriations this year made by the officials of the District of Columbia are nearly \$13,000,000. The House of Representatives, exercising economy—I think undue and unnecessary economy—cut them down to something like \$11,000,000. The Senate committee has increased it to something over \$12,000,000. My view is, well established and entirely satisfactory to myself, that if we were acting wisely we would take the \$7,000,000 which the taxpayers of this District have contributed, match it with \$7,000,000 more, and make improvements in this District which are very much needed at the present time. We would thereby be enabled to beautify the city to a larger extent than it is beautified. We could connect the great parks, which at some time will have to be connected. But no improvements will be possible if we are going to practice economy, niggardly, as I think it is, and then say that the Government shall not pay any taxes upon its property, but that the people of the District of Columbia, having a city with streets twice as wide as they would be if the people of the city themselves had laid them out, burdened as they are in a great many directions which have not been suggested by the Senator from Iowa to-day, I do not think that we would be acting wisely to destroy the half-and-half principle on an appropriation bill.

Mr. KENYON. Does the Senator think there is anything very niggardly in giving these people \$2,000,000 more than the estimates show they should have?

Mr. GALLINGER. No; I do not think that. I say that if we acted wisely we would appropriate an amount equal to the amount that has been collected from the citizens of the District of Columbia.

Mr. KENYON. That would be \$8,000,000 for the Government and \$8,000,000 for them.

Mr. GALLINGER. It would be about \$14,000,000 or \$15,000,000 all told, instead of \$12,000,000, as it is now—\$3,000,000 more than is carried in the bill as reported by the Senate committee and we could make improvements that in my judgment are needed in the District of Columbia.

Why, Mr. President, we have schoolhouses in the District of Columbia that would not be tolerated for a single day in the city from which the Senator from Iowa comes.

Mr. KENYON. And we have schoolhouses in many poor settlements in this country that need help just as much as do the schoolhouses in the District of Columbia, and the rich people who have come into this District to escape taxation should help to make those schoolhouses better.

Mr. GALLINGER. That is entirely aside from the question involved in the discussion of this appropriation bill. If the Senator wishes to amend the tax laws of the District of Columbia he can propose an amendment to them, which, if Congress sees fit, can be enacted into law.

Mr. KENYON. I propose to introduce an income-tax provision for the District of Columbia.

Mr. JAMES. Mr. President—

The PRESIDING OFFICER. To whom does the Senator from Iowa yield?

Mr. KENYON. I yield to the Senator from Kentucky.

Mr. JAMES. I should like to ask the Senator from New Hampshire a question. He speaks of the wide streets of this city, and seems to couple that with the half-and-half plan. Is it not true that the wide streets were here before the half-and-half plan was originated?

Mr. GALLINGER. I think that is true; but Congress is responsible for them. I want to say just one word more. The District of Columbia gave the people of the United States more than one-half the area of the District of Columbia as a free gift.

Mr. KENYON. I must take issue with the Senator on that. He knows more about it than I do, but the Senator is always fair. Included in that estimate are streets and alleys. The streets and alleys are just as much for the people of the District of Columbia as for anybody else.

Mr. GALLINGER. There are alleys in every city in the country, and in some of them there are more than there are in the District of Columbia.

Mr. KENYON. They are held in trust for the benefit of all the people; they were not given to the Government.

Mr. GALLINGER. Mr. President, I think it can be made to appear—I may be wrong about that—that the people of the District of Columbia are paying a higher per capita tax than the average city of the United States of equal population.

Mr. KENYON. I think that is true; and if 10 people owned all of the property in the District of Columbia, they would pay the highest per capita tax in the world.

Mr. GALLINGER. Undoubtedly.

Mr. KENYON. And that is because there is more per capita wealth in the District of Columbia than in any other city of the United States, and there is less per capita indebtedness in the District of Columbia than in any city of the United States.

Mr. GALLINGER. I do not know whether or not the Senator has the statistics to show that there is a higher per capita tax; certainly one-third of the population of the District of Columbia have not very much in the way of property on which they would pay taxes.

Mr. KENYON. That is true.

Mr. GALLINGER. And I am surprised, if it is so, that there is a higher per capita wealth.

Mr. KENYON. Taxes are not paid on per capita wealth; they are paid on property.

Mr. GALLINGER. Certainly.

Mr. JAMES. Mr. President, I think if the Senator from Iowa will investigate he will find that his admission is an error that this city pays a higher per capita tax than most other cities. I think he will find that there is no other large city in the country where the per capita tax is not higher than it is here.

Mr. KENYON. I should be glad to be corrected if that is true; but a per capita tax signifies nothing.

Mr. JAMES. I understand that.

Mr. NELSON and Mr. STONE addressed the Chair.

The PRESIDING OFFICER. To whom does the Senator from Iowa yield?

Mr. KENYON. I yield to the Senator from Minnesota.

Mr. NELSON. I intended to ask a question of the Senator from New Hampshire, but he is leaving the Chamber.

Mr. GALLINGER. I will come back for the purpose of answering any inquiry which the Senator from Minnesota may propound, if I am able to do so.

Mr. NELSON. I should like to hear what the Senator has to say on the question of immunity from taxation on credits in the District of Columbia.

Mr. GALLINGER. Mr. President, I have suggested to the Senator from Iowa that the tax laws—

Mr. NELSON. I should like to hear the Senator on that in connection with this plan here.

Mr. GALLINGER. I say—

Mr. NELSON. Does not the Senator think—

Mr. GALLINGER. Will the Senator allow me to complete a sentence?

Mr. NELSON. Yes, sir.

Mr. GALLINGER. I thank the Senator. I say that I am no more responsible for that than is the Senator from Minnesota or than is any other Senator.

Mr. NELSON. No; but the Senator is a member of the Committee on the District of Columbia.

Mr. GALLINGER. I am not.

Mr. NELSON. He was for a great many years.

Mr. GALLINGER. I am not a member of the Committee on the District of Columbia.

Mr. NELSON. The Senator was for a great many years.

Mr. GALLINGER. So were other excellent men.

Mr. NELSON. And we look for reforms in connection with the District of Columbia to come from that committee.

Mr. GALLINGER. No; not necessarily.

Mr. STONE. Mr. President—

Mr. KENYON. I have yielded to the Senator from Minnesota.

Mr. NELSON. I do not want to detain the Senator from New Hampshire longer in the Chamber.

Mr. GALLINGER. I will remain to answer any question the Senator wants to ask me.

Mr. KENYON. I yield to the Senator from Missouri.

Mr. STONE. Mr. President, there is quite a grave reason why we should have an executive session at once, which I do not feel at liberty to state in the open session of the Senate; but if the Senator from Iowa will consent, I should like to move an executive session at this time.

Mr. POMERENE. Mr. President, will the Senator yield to me?

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Ohio?

Mr. STONE. Certainly.

Mr. POMERENE. For the purpose of offering a bill and having it referred to the Committee on Interstate Commerce?

Mr. SMOOT. I object.

The PRESIDING OFFICER. Objection is made.

Mr. POMERENE. I should like to state that it is important that this matter be printed and referred to the committee; and, as we are just about to go into executive session, I hope the Senator will withdraw the objection.

Mr. SMOOT. No, Mr. President; I can not withdraw the objection.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the bill (S. 7107) to authorize the construction of a bridge across the Ohio River at Metropolis, Ill.

The message also announced that the House disagrees to the amendments of the Senate to the bill (H. R. 20241) making appropriations to supply urgent deficiencies in appropriations for the fiscal year 1915 and prior years, and for other purposes, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. FITZGERALD, Mr. BARTLETT, and Mr. GILLET managers at the conference on the part of the House.

The message further announced that the House had passed a bill (H. R. 6143) relating to the maintenance of actions for death on the high seas and other navigable waters, in which it requested the concurrence of the Senate.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills and joint resolution, and they were thereupon signed by the President pro tempore:

S. 2651. An act providing for the purchase and disposal of certain lands containing the minerals kaolin, kaolinite, fuller's earth, china clay, and ball clay in Tripp County, formerly a part of the Rosebud Indian Reservation in South Dakota;

S. 2824. An act to amend an act entitled "An act to provide for the adjudication and payment of claims arising from Indian depredations," approved March 3, 1891;

S. 6454. An act to authorize the Government Exhibit Board for the Panama-Pacific International Exposition to install any part or parts of the Government exhibit at the said exposition either in the exhibit palaces of the Panama-Pacific International Exposition Co. or in the Government building at said exposition; and

S. J. Res. 58. Joint resolution authorizing the Secretary of the Navy to present the bell of the late U. S. S. *Princeton* to the borough of Princeton, N. J.

PETITIONS AND MEMORIALS.

Mr. CLAPP presented petitions of sundry citizens of Minnesota, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

Mr. SMITH of Maryland presented petitions of 15 citizens of Woodfield; of Daisy Lodge, No. 320, International Order of Good Templars, of Howard County; of Wesley Grove Lodge, No. 329, International Order of Good Templars, of Woodfield; and of Eureka Lodge, No. 272, International Order of Good Templars, of Baltimore, all in the State of Maryland, praying for national prohibition, which were referred to the Committee on the Judiciary.

Mr. BURLEIGH presented a petition of the Maine State Grange, Patrons of Husbandry, praying for an investigation into the difference between producers and retail prices of potatoes, which was referred to the Committee on Agriculture and Forestry.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. FLETCHER:

A bill (S. 7180) granting an increase of pension to Etta Adair Anderson; to the Committee on Pensions.

By Mr. CHAMBERLAIN:

A bill (S. 7181) granting an increase of pension to Thomas E. Dunbar (with accompanying papers); to the Committee on Pensions.

By Mr. BURLEIGH:

A bill (S. 7182) granting a pension to Clifton Whittum; to the Committee on Pensions.

By Mr. SAULSBURY:

A bill (S. 7183) granting an increase of pension to Thomas Clark (with accompanying papers); to the Committee on Pensions.

URGENT DEFICIENCY APPROPRIATIONS.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 20241) making appropriations to supply urgent deficiencies in appropriations for the fiscal year 1915 and prior years, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. OVERMAN. I move that the Senate insist upon its amendments, agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to, and the President pro tempore appointed Mr. OVERMAN, Mr. BRYAN, and Mr. SMOOT conferees on the part of the Senate.

HOUSE BILL REFERRED.

H. R. 6143. An act relating to the maintenance of actions for death on the high seas and other navigable waters was read twice by its title, and, on motion of Mr. OVERMAN, referred to the Committee on the Judiciary.

EXECUTIVE SESSION.

Mr. STONE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After seven minutes spent in executive session the doors were reopened, and (at 5 o'clock and 35 minutes p. m., Thursday, January 7, 1915) the Senate adjourned until to-morrow, Friday, January 8, 1915, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 7 (legislative day of January 6), 1915.

SECRETARY OF LEGATION.

Willing Spencer to be secretary of legation at Panama, Panama.

COLLECTOR OF INTERNAL REVENUE.

Edgar M. Harber to be collector of internal revenue for the sixth district of Missouri.

POSTMASTERS.

HAWAII.

Otto F. Heine, Lahaina.

PENNSYLVANIA.

Lewis W. Bechtel, Stowe.
William F. Burchfield, Mifflin.
George W. Heffelman, New Cumberland.
Thomas W. Loftus, Archbald.
William A. Meehan, Dickson City.
John J. Moran, Olyphant.

VERMONT.

C. A. Burnham, Bristol.
Martha L. Gilbert, Randolph Center.
Hugh A. Sherlock, South Royalton.

HOUSE OF REPRESENTATIVES.

THURSDAY, January 7, 1915.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We thank Thee, our Father in heaven, that a premium has been set on pure living, that the highest tribute that can be paid to any man is a noble life. It is not the quantity which one puts into his calling, be it great or humble, but quality and efficiency which makes for character. Hence, we pray for earnest, pure, noble convictions, and the courage to live them in prosperity or in adversity, so that when we have run our race, finished our course, it may be said of us, "His was a noble life." This we ask for Thy name's sake, O God, our Father. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed the following resolution, in which the concurrence of the House of Representatives was requested:

Senate concurrent resolution 35.

Whereas the General Assembly of the State of Louisiana for the year 1914 provided by act No. 144 for a fitting celebration of the one hundredth anniversary of the Battle of New Orleans, intrusting the execution of the provisions of said act to the Louisiana Historical Society; and

Whereas, in accordance with said act, invitations have been extended to the respective presiding officers and the Members of the Congress of the United States to attend these commemorative exercises, to be held in the city of New Orleans on January 8, 9, 10, 1915: Therefore be it

Resolved by the Senate (the House of Representatives concurring), That the Congress of the United States acknowledges with pleasure the receipt of said invitations and appreciates the courtesy thus extended; be it further

Resolved, That the Congress of the United States commends the patriotic spirit that has prompted the people of Louisiana to celebrate properly the great victory achieved on the field of Chalmette by American arms under the leadership of Andrew Jackson, and rejoices in the heroic valor displayed by friend and foe alike in that memorable conflict; be it further

Resolved, That a copy of this resolution be transmitted to the governor of Louisiana, the mayor of New Orleans, and the Louisiana Historical Society.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to bills of the following titles:

S. 2824. An act to amend an act entitled "An act to provide for the adjudication and payment of claims arising from Indian depredations, approved March 3, 1891;

S. 6039. An act for the coinage of certain gold and silver coins in commemoration of the Panama-Pacific International Exposition, and for other purposes;

S. 6106. An act validating locations of deposits of phosphate rock heretofore made in good faith under the placer-mining laws of the United States; and

S. J. Res. 58. Joint resolution authorizing the Secretary of the Navy to present the bell of the late U. S. S. *Princeton* to the borough of Princeton, N. J.

The message also announced that the Senate had passed with amendments bill of the following title, in which the concurrence of the House of Representatives was requested:

H. R. 20241. An act making appropriations to supply urgent deficiencies in appropriations for the fiscal year 1915, and for other purposes.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED.

The Speaker announced his signature to enrolled bills and joint resolution of the following titles:

S. 6454. An act to authorize the Government exhibit board for the Panama-Pacific International Exposition to install any part or parts of the Government exhibit at the said exposition either in the exhibit palaces of the Panama-Pacific International Exposition Co. or in the Government building at said exposition;

S. 2824. An act to amend an act entitled "An act to provide for the adjudication and payment of claims arising from Indian depredations," approved March 3, 1891;

S. 2651. An act providing for the purchase and disposal of certain lands containing the minerals kaolin, kaolinite, fuller's earth, china clay, and ball clay, in Tripp County, formerly a part of the Rosebud Indian Reservation, in South Dakota;

S. J. Res. 58. Joint resolution authorizing the Secretary of the Navy to present the bell of the late U. S. S. *Princeton* to the borough of Princeton, N. J.

S. 6039. An act for the coinage of certain gold and silver coins in commemoration of the Panama-Pacific Exposition, and for other purposes; and

S. 6106. An act validating locations of deposits of phosphate rock heretofore made in good faith under the placer-mining laws of the United States.

BRIDGE ACROSS THE OHIO RIVER AT METROPOLIS, ILL.

Mr. BARKLEY. Mr. Speaker, I ask that Senate bill 7107 be taken from the Speaker's desk and laid before the House for consideration, it being identical with a House bill now on the calendar from the Committee on Interstate and Foreign Commerce.

The SPEAKER. What is the number of that bill?

Mr. BARKLEY. Senate bill No. 7107.

The SPEAKER. The Clerk will report it.

The Clerk read the title of the bill, as follows:

A bill (S. 7107) to authorize the construction of a bridge across the Ohio River at Metropolis, Ill.

The SPEAKER. The gentleman from Kentucky [Mr. BARKLEY] states that there is a similar House bill on the calendar.

Mr. BARKLEY. Yes; with a favorable report.

The SPEAKER. With a favorable report from the committee. Is there objection?

There was no objection.

Mr. MANN. Mr. Speaker, let the bill be read.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Paducah & Illinois Railroad Co., a corporation organized and existing under the laws of the State of Illinois, its successors and assigns, be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Ohio River, at a point suitable to the interests of navigation, at Metropolis, Ill., in accordance with the provisions of the acts of Congress approved December 17, 1872, and February 14, 1883, authorizing the construction of bridges across the Ohio River, and of the act entitled "An act to regulate the construction of bridges across navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. BARKLEY, a motion to reconsider the vote whereby the bill was passed was laid on the table.

The SPEAKER. Without objection, the House bill (H. R. 20499) of similar tenor will be laid on the table.

There was no objection.

EXTENSION OF REMARKS.

Mr. THACHER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of the Tuttle barrel bill, H. R. 4899, which was under discussion yesterday.

The SPEAKER. The gentleman from Massachusetts [Mr. THACHER] asks unanimous consent to extend his remarks in the RECORD on the subject of the Tuttle bill. Is there objection?

There was no objection.

Mr. MADDEN. I ask unanimous consent, Mr. Speaker, to extend my remarks in the RECORD on the subject of government in the United States.

The SPEAKER. On what?

Mr. MADDEN. On government in the United States.

The SPEAKER. On the subject of government in the United States. Is there objection?

There was no objection.

Mr. TUTTLE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of the standard weights and measures.

The SPEAKER. The gentleman from New Jersey [Mr. TUTTLE] asks unanimous consent to extend his remarks in the RECORD on the subject of standard weights and measures. Is there objection?

There was no objection.

ORDER OF BUSINESS.

Mr. DUPRÉ. Mr. Speaker, I ask unanimous consent that on to-morrow morning, after the approval of the Journal, I be permitted to address the House for 15 minutes on the subject of the one hundredth anniversary of the Battle of New Orleans.

The SPEAKER. The gentleman from Louisiana [Mr. DUPRÉ] asks unanimous consent that to-morrow morning, immediately after the reading of the Journal and the disposition of routine matters on the Speaker's table, he be allowed to address the House for 15 minutes on the Battle of New Orleans, incident to the celebration of the one hundredth anniversary. Is there objection?

Mr. UNDERWOOD. Reserving the right to object, Mr. Speaker, I do not like to establish, this late in the session, a precedent in behalf of gentlemen speaking by unanimous consent.

Mr. DUPRÉ. May I suggest to the gentleman from Alabama that neither he nor I will be here for the two hundredth anniversary of the Battle of New Orleans? [Laughter.]

Mr. UNDERWOOD. I am sure of that, and I have no objection to the gentleman making the speech, and I would not wish to object if it were not for the precedent that would be set. I think when we get into Committee of the Whole to-morrow the gentleman can arrange for time.

Mr. DUPRÉ. I submit, Mr. Speaker, that under the circumstances it will not be regarded as a precedent, and I trust the gentleman will not press his objection. A resolution was passed by the Legislature of Louisiana on the subject of the

celebration of the one hundredth anniversary of the Battle of New Orleans. I may say I do not bother the House very often with my mellifluous diction or eloquent language [laughter], and I hope the gentleman will not object.

Mr. UNDERWOOD. The gentleman is correct about that; but, Mr. Speaker, inasmuch as to-morrow is the day, and as the gentleman desires only 15 minutes, I want to give notice that this is not to be considered as a precedent hereafter that we shall have unanimous consent given at this session of Congress except when a bill is before the House.

The SPEAKER. Is there objection?
There was no objection.

URGENT DEFICIENCY APPROPRIATION BILL.

Mr. FITZGERALD. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the urgent deficiency appropriation bill, disagree to Senate amendments, and ask for a conference.

The SPEAKER. The Clerk will report the bill.
The Clerk read the title of the bill, as follows:

A bill (H. R. 20241) making appropriations to supply urgent deficiencies in appropriations for the fiscal year 1915, and prior years, and for other purposes.

The SPEAKER. The gentleman from New York [Mr. FITZGERALD] asks unanimous consent to take the bill from the Speaker's table, disagree to the Senate amendments, and send it to conference. Is there objection?

There was no objection; and the Speaker announced as conferees on the part of the House Mr. FITZGERALD, Mr. BARTLETT, and Mr. GILLET.

IMMIGRATION.

Mr. BURNETT. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 6060, the immigration bill, disagree to the Senate amendments, and ask for a conference.

Mr. MADDEN. I reserve the right to object, Mr. Speaker.
The SPEAKER. The Clerk will report the bill by title.
The Clerk read as follows:

A bill (H. R. 6060) to regulate the immigration of aliens to and the residence of aliens in the United States.

The SPEAKER. The gentleman from Alabama [Mr. BURNETT] asks unanimous consent to take the bill H. R. 6060, the immigration bill, from the Speaker's table, disagree to the Senate amendments, and ask for a conference.

Mr. MADDEN. Reserving the right to object, Mr. Speaker, I wish to ask the gentleman from Alabama and his confreres on the committee of conference whether, if consent is granted to go to conference with the bill, the conferees will come back with amendment numbered 18 without an agreement and give the House, in case they can not eliminate it, an opportunity to vote upon that amendment before final agreement is entered into between the House and the Senate?

Mr. BURNETT. Mr. Speaker, in order to facilitate the reference of the bill I am perfectly willing to state to the gentleman from Illinois [Mr. MADDEN] that if the conferees are appointed as I suggest—and I will state that I will ask the Speaker to appoint the gentleman from Illinois [Mr. SABATH], the gentleman from Massachusetts [Mr. GARDNER], and myself—so far as I am concerned, and I am authorized to speak for the gentleman from Massachusetts [Mr. GARDNER] also, I shall ask that no final action be taken on that amendment until it is reported to the House and the House given an opportunity to vote on it, unless it is eliminated in conference.

Mr. MADDEN. All right.

Mr. SABATH. Would that also apply to any other important amendments to the bill?

Mr. BURNETT. What ones?

Mr. SABATH. For instance, amendment No. 3, the increase in the head tax to \$6, and there may be two or three others. What I desire to know is whether the same understanding will apply to other important amendments in the bill.

Mr. BURNETT. Mr. Speaker, we would rather have a vote, if it comes to that, than have to make a blanket agreement as to various amendments and consume the time later on. I thought we might be able to facilitate it.

Mr. SABATH. I wish to assure the gentleman that I am not going to delay the matter in any way. I would like to have an understanding, that is all.

Mr. GALLIVAN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GALLIVAN. I have some amendments that I desire to offer to the Senate amendments. I understand that if this matter goes to conference I shall have no opportunity to offer those amendments.

The SPEAKER. That depends entirely on what the conferees bring back. If they bring in a complete report, then the House must vote upon it as a whole; but the gentleman is entirely within his rights to demand a separate vote on each amendment.

Mr. GALLIVAN. Then, Mr. Speaker, I shall have to object.

Mr. MADDEN. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. MADDEN. If the conferees fail to reach an agreement on a given item put in the bill by the Senate, they will have a perfect right to bring that item back to the House and ask for instructions, will they not?

The SPEAKER. Of course. That happens every once in a while; and when they come back under those conditions, there are a number of motions that apply to each amendment. It is no use for the Chair to state the various motions—to concur, to concur with an amendment, and so forth.

Mr. MADDEN. If the conferees come back with a complete agreement, there is nothing else to do except to vote the report up or down.

The SPEAKER. No; the House must either vote it up or down if it is a complete agreement.

Mr. SLAYDEN. Mr. Speaker, the request of the gentleman from Alabama [Mr. BURNETT] having been objected to, what is the regular order?

Mr. BURNETT. Mr. Speaker, I move to disagree to the Senate amendments and ask for a conference.

Mr. STAFFORD. On that I reserve a point of order.

The SPEAKER. If it is objected to, it goes to the committee.

Mr. MANN. Mr. Speaker, I suggest to the gentleman that he ask the Speaker to lay the bill before the House. Then he can move to disagree to the Senate amendments and ask for a conference.

Mr. BURNETT. I make that motion.

Mr. MANN. Mr. Speaker, this is a House bill with Senate amendments. It does not require consideration in Committee of the Whole House on the state of the Union. Hence it is the duty of the Speaker to lay the bill before the House with the Senate amendments.

Mr. STAFFORD. Mr. Speaker, I take exception to the position of the gentleman from Illinois, and I claim that there is an amendment here which requires consideration in Committee of the Whole.

Mr. MANN. That may be. I understood there was not. I have not examined it.

The SPEAKER. The gentleman gave it as his opinion that there was not an amendment that required consideration in Committee of the Whole. The Chair has not examined it.

Mr. MANN. I have not examined it.

The SPEAKER. The Chair will request the gentleman from Wisconsin to point out the amendment which makes it necessary to send the bill to the Committee of the Whole.

Mr. STAFFORD. I direct the attention of the Chair to amendment No. 30, which is as follows:

The Department of Justice may from any fines or penalties received pay rewards to persons other than Government employees who may furnish information leading to the recovery of any such penalties, or to the arrest and punishment of any person, as hereinafter in this section provided.

That is something new and distinct, not germane to any provision that was carried in the original House bill. It provides a charge on the Treasury, in that the officers of the Department of Justice may, in their discretion, adopt certain rules for the payment of rewards out of funds that would otherwise go into the Treasury of the United States. Therefore, it being an amendment that, if offered in the House, would naturally require consideration in Committee of the Whole under Rule XX of the rules of the House, the bill must necessarily be referred to the Committee on Immigration for consideration and not presented to the House for consideration as suggested by the gentleman from Illinois.

Mr. GARDNER. Mr. Speaker, as soon as I can find the rule with reference to the Committee of the Whole I will read it.

Mr. STAFFORD. Rule XX.

Mr. GARDNER. No; Rule XX is with regard to House bills with Senate amendments.

Mr. MADDEN. This is a House bill with Senate amendments.

Mr. GARDNER. I understand, but I want to find the general rule as to consideration in Committee of the Whole. It is section 843 in the Manual, Rule XXIII, section 3. Certain classes of business must be considered in Committee of the Whole. For example:

All motions or propositions involving a tax or charge upon the people.

Mr. Speaker, does this involve a tax or charge upon the people? Obviously not. Therefore under the first clause of sec-

tion 3 of Rule XXIII no reference to the Committee of the Whole is required.

The second clause of the rule reads like this:

All proceedings touching appropriations of money, or bills making appropriations of money or property.

This amendment does not do any of those things. It requires no appropriation to be made. It authorizes no payment out of an appropriation already made. It does not release any liability of money or property to the United States. It does not involve any reference of a claim to the Court of Claims. Therefore under the rule which requires certain classes of business to be considered in Committee of the Whole House on the state of the Union, to wit, section 3, Rule XXIII, there is nothing whatever which would require this House bill with Senate amendments to go to the Committee of the Whole House on the state of the Union.

The SPEAKER. The point of order is overruled. The Chair will answer the parliamentary inquiry of the gentleman from Texas [Mr. SLAYDEN]. The regular procedure is to lay the bill before the House with the Senate amendments, and the Clerk will report the amendments.

The Clerk read as follows:

Amend, on page 1, line 6, by inserting after the word "Indians" the words "of the United States."

Mr. BURNETT. Mr. Speaker, my motion was to disagree to the Senate amendments and ask for a conference.

Mr. MANN. Mr. Speaker, the amendments have to be reported, and then anyone can demand a separate vote on any amendment. The gentleman from Alabama's motion is to disagree to all Senate amendments, but the amendments have to be reported, and then anyone can ask for a separate vote.

The SPEAKER. That is true, and the Clerk will proceed.

The Clerk again read Senate amendment No. 1.

The SPEAKER. The question is on agreeing to the amendment.

Mr. BURNETT. Mr. Speaker, I move the previous question.

Mr. MANN. Mr. Speaker, I think myself that it is in order to disagree to all the Senate amendments.

The SPEAKER. The Chair thinks so, if any gentleman makes that motion.

Mr. MANN. I understood the gentleman from Alabama made a motion to disagree to all the Senate amendments. Then the amendments would be reported, and then a separate vote can be demanded on any amendment. Of course a motion to concur in a separate amendment would take precedence.

Mr. BURNETT. That was the understanding when I made the motion to disagree to all Senate amendments, to have gentlemen state what amendments they wanted a separate vote upon.

The SPEAKER. The Chair thinks it would help things along if the gentleman made that motion now.

Mr. BURNETT. I have made the motion to disagree to all the Senate amendments.

Mr. STAFFORD. Mr. Speaker, I ask for a division of that motion as to Senate amendment 24, providing for the exemption of the Belgians.

Mr. MADDEN. And, Mr. Speaker, I ask for a separate vote on amendment No. 18, applying to the African or black race.

The SPEAKER. The Clerk will report all the amendments, and then gentlemen can reserve the amendments they wish a separate vote upon.

Mr. TRIBBLE. Mr. Speaker, I ask for a separate vote on amendment No. 24, the Belgian amendment.

Mr. NORTON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. NORTON. The gentleman from Alabama has moved to disagree to all the Senate amendments. If that motion is put and carried, then may a separate vote be taken on any particular amendment?

The SPEAKER. Not if that proposition carries; no.

Mr. MANN. Mr. Speaker, will there be any objection if the gentleman from Alabama asks unanimous consent to disagree to all the Senate amendments except where a separate vote is demanded?

Mr. BURNETT. Mr. Speaker, I will change my motion and ask unanimous consent to disagree to all Senate amendments except where a separate vote is demanded.

The SPEAKER. The gentleman from Alabama asks unanimous consent to disagree to all Senate amendments except where a separate vote is demanded. On what amendment did the gentleman from Wisconsin want a separate vote?

Mr. STAFFORD. On amendment 24, where I intend to make a motion to concur.

The SPEAKER. Is there objection to the request of the gentleman from Alabama? [After a pause.] The Chair hears none.

Mr. TRIBBLE. Mr. Speaker, I ask a separate vote on amendment 24, known as the Belgian amendment.

Mr. MADDEN. Mr. Speaker, I am interested in amendment 18, and all I want is an understanding that that amendment will be brought back to the House with the right to vote upon it before any agreement is entered into between the conferees, unless the amendment is eliminated in conference.

Mr. MOORE. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MOORE. Is it necessary to make a demand for a separate vote now, and if so, does that preclude a separate vote after the bill comes back?

The SPEAKER. The situation is this as to conference reports: If the conferees make a complete report, it must either be voted up or down as a whole. If the conferees make a separate report, you vote the report up or down, and then you have the right to make any motion as to any amendment that the conferees have not agreed upon.

Mr. MOORE. There are 95 amendments to this bill, and some of them may be objected to, if agreed upon in conference, when the bill comes back.

The SPEAKER. But you can not get a separate vote upon anything that is included in the conference report.

Mr. MOORE. Then, in order to protect one's rights, notice must be given now.

The SPEAKER. That is the request of the gentleman from Alabama. The gentleman from Alabama asked unanimous consent to disagree to all the Senate amendments except where there is a demand for a separate vote. That was granted. Now, what amendments are separate votes demanded upon besides amendments 24 and 18?

Mr. GALLIVAN. Mr. Speaker, I desire separate votes upon amendments 18 and 24.

The SPEAKER. Those have already been excepted.

Mr. GALLIVAN. I simply desire to move to concur in the Senate amendments.

The SPEAKER. That time has not yet come.

Mr. GALLIVAN. I wish to know if I shall have that opportunity.

The SPEAKER. The gentleman will if somebody does not get up first and make the motion. Is a separate vote demanded on any other amendment?

Mr. MOORE. Mr. Speaker, I desire a separate vote on amendment No. 15.

The SPEAKER. The Chair will inquire of the gentleman from Illinois [Mr. MADDEN] if he demanded a separate vote on amendment No. 18?

Mr. MADDEN. No, Mr. Speaker. I granted consent to the conference with the distinct understanding on the part of the conferees that unless they can eliminate that amendment from the bill in the conference they will bring the amendment back here for a separate vote before a full agreement is had, and that is the condition upon which consent is granted.

Mr. ASWELL. Mr. Speaker, I demand a separate vote on amendment No. 18.

The SPEAKER. That has already been done.

Mr. BOOHER. Mr. Speaker, I demand a separate vote on amendments 54 and 57.

The SPEAKER. The gentleman from Missouri demands a separate vote on amendments 54 and 57. Is a separate vote demanded on any other amendment?

Mr. MOORE. Mr. Speaker, I also demand a separate vote on amendment No. 9.

The SPEAKER. The gentleman from Pennsylvania demands a separate vote on amendment No. 9.

Mr. GALLIVAN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GALLIVAN. Mr. Speaker, when the opportunity is afforded me, I propose to move to concur in Senate amendments to section 3 with an amendment, and I desire to give notice now—

The SPEAKER. Is the gentleman demanding a separate vote on amendment No. 3?

Mr. GALLIVAN. No; the section is No. 3.

The SPEAKER. That has already passed the House.

Mr. LEVY. Mr. Speaker, when the vote on No. 24 comes up, have I the right to move to amend that amendment?

The SPEAKER. If the gentleman gets the floor and obtains recognition from the Chair upon that amendment before anyone else does, then the Chair will entertain any proper motion that he may make.

Mr. LEVY. Can I give notice now?

The SPEAKER. The gentleman can not give notice now. He will have to get up at the time, and get up ahead of anyone else. [Laughter.]

Mr. BURNETT. Mr. Speaker, I ask that we proceed to a vote on those reserved amendments.

Mr. MANN. Mr. Speaker, I ask to have the amendments that have been reserved for a separate vote reported in their numerical order.

The SPEAKER. Does any gentleman demand a separate vote on any other amendment?

Mr. SABATH. Mr. Speaker, as I understand the motion of the gentleman from Alabama it is that we disagree to all of the Senate amendments with the exception of those where a separate vote is demanded at this time.

Mr. MANN. That has already been done by unanimous consent.

The SPEAKER. That has been done, and the Chair is trying to give everyone a chance to reserve a separate vote on any amendment.

Mr. BURNETT. Mr. Speaker, it is possible that there are some here who do not understand the extent of the argeement in regard to amendments 18 and 24.

Mr. MANN. That will come up later.

Mr. BURNETT. I understand no separate votes have been demanded upon them?

Mr. MANN. Oh, yes; several times.

The SPEAKER. The Clerk will report amendment No. 9.

Mr. MANN. Mr. Speaker, I ask to have the list reported, so that everyone will know what amendments have been reserved.

The SPEAKER. The Clerk will report the amendments upon which separate votes have been demanded.

The Clerk read as follows:

Amendments numbered 9, 15, 18, 24, 54, 57.

Mr. GALLIVAN. Mr. Speaker, I desire to inquire whether or not, in view of the fact that the language of section 3 has been materially changed in the Senate by amendments, a general amendment to section 3 would be in order, provided I move to concur in certain Senate amendments which are now applied to section 3 with amendments? I am told that because certain language is in section 3 which has passed both Houses it can not be amended; but my inquiry is with reference to this point—

The SPEAKER. There is nothing before the House now except the Senate amendments.

Mr. GALLIVAN. But the Senate amendments have changed in many forms the entire language of section 3, and I desire to offer a general amendment to section 3, concurring with some of the amendments—

The SPEAKER. Was section 3 amended by the Senate?

Mr. GALLIVAN. Yes; in many ways.

The SPEAKER. Does the gentleman desire to reserve votes upon those amendments?

Mr. GALLIVAN. I could very easily, with the permission of the Chair, suggest that my amendment is to concur and—

The SPEAKER. But the time has not yet come to make a motion in respect to that particular language.

Mr. GALLIVAN. My desire is not to lose my rights. I want to move to amend—

The SPEAKER. The gentleman does not lose any right if he asks for a separate vote on any particular amendment. If the gentleman will demand separate votes on all of the amendments to section 3, if there are more than one amendment to that section, then they will go into the list with the rest of these amendments.

Mr. MANN. Mr. Speaker, all the gentleman from Massachusetts has to do is to ask for a separate vote on the amendments which he wishes to have concurred in.

Mr. GALLIVAN. I demand a separate vote on every amendment to section 3.

The SPEAKER. The gentleman from Massachusetts demands a separate vote on all amendments to section 3.

Mr. GARDNER. Mr. Speaker, before the gentleman does that, I know just what the gentleman wants. Section 3 has more amendments to it than any other part of the bill. The gentleman, I take it, wants to amend the illiteracy test.

Mr. GALLIVAN. That is what I want to do.

Mr. GARDNER. Why not reserve separate votes on amendments numbered 19 and 20? They are the two amendments in the illiteracy test.

Mr. LEVY. Mr. Speaker, I want a separate vote on amendment No. 24.

The SPEAKER. A separate vote has been demanded upon that. The gentleman from Massachusetts [Mr. GALLIVAN] demands separate votes on amendments 19 and 20. Is that it?

Mr. GALLIVAN. Well, no, Mr. Speaker; that is not it. I know that my good friend from Massachusetts [Mr. GARDNER] wants to help me out, despite the fact he is on the other side [laughter and applause]; but I would want to find out whether or not I will have an opportunity to amend that entire section. I want to amend, beginning—

Mr. MANN. The gentleman will not.

Mr. GALLIVAN. Beginning line 13, page 8.

The SPEAKER. Answering the gentleman's parliamentary inquiry, the Chair will state that all of this bill that can be operated on here now are the Senate amendments.

Mr. GALLIVAN. But, Mr. Speaker, the Senate has made many amendments to this section.

The SPEAKER. The Chair understands that, and there has been a demand for separate votes on various amendments. Now, if the gentleman has any he wants to demand a separate vote on, the Chair will make a note of it and have the Clerk report them.

Mr. GALLIVAN. I refer to all the amendments made to section 3.

The SPEAKER. That obtains when the time comes.

Mr. GALLIVAN. Now, amendment 9 has been read, which is the beginning of section 3.

Mr. MANN. Does the gentleman demand a separate vote on each Senate amendment to section 3?

Mr. GALLIVAN. I do, unless I get opportunity to offer the amendments I have in mind.

Mr. MANN. The gentleman has made the demand, and that settles it.

The SPEAKER. Now, the gentleman from Massachusetts [Mr. GALLIVAN] demands a separate vote on every one of the amendments to section 3—that is, amendments numbered 9 to 24, inclusive—and the Clerk will report amendment No. 9.

Mr. MOORE. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman rise?

Mr. MOORE. Mr. Speaker, under the circumstances I ask unanimous consent to withdraw my demand for a separate vote on No. 9, as it will not be necessary.

The SPEAKER. Well, the demand is in anyhow. The Clerk will report amendment No. 9.

The Clerk read as follows:

Amendment No. 9, page 4, line 17, after the word "previously," insert "persons of constitutional psychopathic inferiority; persons with chronic alcoholism."

Mr. BURNETT. Mr. Speaker, I move to disagree to Senate amendment No. 9 and ask for a conference.

The SPEAKER. The gentleman from Alabama moves to disagree to Senate amendment No. 9.

Mr. MANN. Mr. Speaker, just so the gentleman from Massachusetts and other gentlemen may not lose their right, it is in order to move to concur in Senate amendment numbered 9, or to move to concur in it with an amendment. That is the only way you can get any matter before the House now.

Mr. GALLIVAN. Mr. Speaker, I move to concur in Senate amendment numbered 9 with an amendment.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Mr. GALLIVAN moves to concur in Senate amendment numbered 9—

Mr. O'SHAUNESSY. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman rise?

Mr. O'SHAUNESSY. Mr. Speaker, I want to ask if it is in order to seek enlightenment upon the words "persons of constitutional psychopathic inferiority"?

Mr. MANN. The gentleman will have to go to the medical books.

Mr. O'SHAUNESSY. I find that a great many of my colleagues are somewhat in doubt.

The SPEAKER. The Chair is as much in doubt as anybody else. [Laughter and applause.]

Mr. GALLIVAN. Mr. Speaker, I hope the gentleman does not expect me to enlighten him.

Mr. O'SHAUNESSY. I would expect any gentleman from Massachusetts to enlighten this body.

Mr. MOORE. The Chair should remember that this suggestion came from the Senate.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Mr. GALLIVAN moves to concur in Senate amendment numbered 9 with an amendment striking out all of section 3 beginning on page 8, line 12, and ending on page 10, line 14.

Mr. BURNETT. Mr. Speaker, I make a point of order against that.

The SPEAKER. The point of order is sustained.

Mr. GALLIVAN. Mr. Speaker [laughter]—

The SPEAKER. Does the gentleman want to be heard?

Mr. GALLIVAN. I do, Mr. Speaker, briefly.

The SPEAKER. The Chair will state to the gentleman that amendments to this amendment must be germane to the amendment. Now, if the gentleman wants to argue it, the Chair will hear him.

Mr. GALLIVAN. Mr. Speaker, I do not desire to take up time on that point. [Laughter.]

The SPEAKER. The gentleman from Alabama [Mr. BURNETT] moves to disagree to Senate amendment numbered 9.

Mr. BROWN of New York. Mr. Speaker, I move to concur in the Senate amendment.

The SPEAKER. The gentleman from New York [Mr. BROWN] moves to concur in the Senate amendment.

Mr. GARDNER. Mr. Speaker, I raise the point of order that the motion to nonconcur has precedence over the motion to concur at this stage.

The SPEAKER. The point of order is overruled. The question is on the motion to concur.

Mr. SABATH. Mr. Speaker, will it be in order to ask the gentleman who makes the motion to explain the meaning of the amendment?

The SPEAKER. Oh, no; the motion stands by itself.

The question was taken, and the Speaker announced the ayes seemed to have it.

Mr. SABATH. Division, Mr. Speaker.

The SPEAKER. The gentleman from Illinois demands a division.

The House divided; and there were—ayes 155, noes 21.

So the motion to concur was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Senate amendment No. 10, page 4, line 23, strike out the words "mental or."

Mr. BURNETT. Mr. Speaker, this amendment, I think, ought to be objected to, but at the same time we believe that this ought to go to conference in order that we may have something by which we can hold other matters that we think are more important. [Laughter.]

The SPEAKER. Does the gentleman make a motion?

Mr. BURNETT. Mr. Speaker, I move to nonconcur.

Mr. SHERLEY. Mr. Speaker, I move to concur.

Mr. BROWN of New York. Before making a motion to concur, I would like to ask the gentleman from Alabama if he is in favor of this amendment and will work for it in conference?

Mr. BURNETT. I am in favor of it, and a number of others.

Mr. SHERLEY. Mr. Speaker, I move to concur in amendment No. 10.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 11. Page 5, lines 2 and 3, strike out "admit their belief in the practice of polygamy" and insert "believe in, advocate, or practice polygamy."

Mr. GARDNER. Mr. Speaker, I move to concur in that with an amendment.

The SPEAKER. The gentleman will state his amendment.

Mr. GARDNER. I move to amend by agreeing to Senate amendment No. 11 with the following amendment:

Strike out the words inserted by the Senate and insert in lieu thereof the following: "Practice polygamy or believe in or advocate the practice of polygamy."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Agree to Senate amendment No. 11 with the following amendment: Strike out the words inserted by the Senate and insert in lieu thereof the following: "Practice polygamy or believe in or advocate the practice of polygamy."

Mr. GARDNER. Now, Mr. Speaker, this is a very good illustration of the mistake of going ahead the way we are going ahead now, because it would take an hour's discussion for people to arrive at the difference in meaning in what I have proposed and the amendment which has been added in the Senate. The gentleman from Alabama [Mr. BURNETT] and I have gone over all of these amendments, assuming that we would be appointed conferees. We have marked the lesser amendments which we would yield in case of necessity when we get into conference, what we would hold out on, and what we would seek to amend. Now, here is the amendment which I propose. Make the sentence read: "Polygamists or persons who practice polygamy or believe in or advocate the practice of polygamy." When I get through explaining the difference between that amendment and the Senate amendment not five men in the House will understand, because they have not turned their mind to this question hitherto. It took me half an hour's study of the Record to find out what point was at issue in the

Senate when it changed the wording of the polygamy clause. Personally, I believe that this is a perfectly proper amendment which I am offering. The Senate amendment I do not like because it undertakes to go into a man's mind and find out whether he believes in polygamy as a part of his creed, no matter whether his creed contemplates a polygamy in some blessed hereafter or in this world. I have no objection whatever to the exclusion of any man who believes in the practice of polygamy in this world, but that is not what the Senate has provided in this amendment. That is my reason for offering this amendment to the Senate amendment. I should very much prefer if the House would nonconcur in this Senate amendment and all these other minor amendments to which we have not given sufficient study, and let us take them to the Senate conferees. After we have conferred with the Senators and also have given further thought to these matters then we can bring them back in some sort of shape, and I believe that the House knows that we shall do our best to represent its real views.

Mr. MANN. Of course voting to nonconcur in the Senate amendment and voting for the gentleman's motion to concur with the amendment practically amount to the same thing.

Mr. GARDNER. It practically throws the whole thing into conference.

Mr. MANN. Then what is the use of sending over an amendment to the amendment?

Mr. GARDNER. I will withdraw the amendment, then, and move to nonconcur.

The SPEAKER. The gentleman from Massachusetts withdraws his amendment.

Mr. BURNETT. I move, Mr. Speaker, to disagree to the Senate amendment.

The SPEAKER. The gentleman from Alabama moves to disagree to amendment No. 11.

Mr. BARKLEY. A parliamentary inquiry.

The SPEAKER. The gentleman from Kentucky [Mr. SHERLEY] moved to concur.

Mr. SHERLEY. Mr. Speaker, I rise for a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SHERLEY. I moved to concur as to amendment No. 10, and the House adopted that motion. Now the question comes up on the motion of the gentleman from Alabama as to amendment No. 11, in which he moves to nonconcur.

Mr. BARKLEY. Mr. Speaker, I move to concur in amendment No. 11, if there is no other motion already made.

The SPEAKER. The gentleman from Kentucky [Mr. BARKLEY] moves to concur in amendment No. 11.

Mr. MANN. Will the gentleman from Alabama yield me two or three minutes?

Mr. BURNETT. Yes.

Mr. MANN. I did not vote for the immigration bill, and very likely will not vote for the conference report. On a matter that is vital I do not see why the House should not express its will now, but when it comes to verbiage it ought to be left to the conferees. The Senate amendment and the House provision are largely matters of verbiage and the effect of that verbiage, I am quite sure after reading, I do not understand, or as to what would be covered differently by the two propositions. It seems to me the part of wisdom on a matter of this sort is to leave it to the conferees, who, while they do not agree with me on the question, must certainly have the confidence and the support of a majority of the House. We might agree to some Senate amendment here which neither the Senate nor the House wanted in the language which the Senate sent to us. Now, that language is often inserted in the Senate hastily, as far as the language is concerned, and I think in matters of this sort we ought to leave it to the conferees.

The SPEAKER. The gentleman from Kentucky [Mr. BARKLEY] moves to concur.

Mr. LENROOT. This language "admit their belief in the practice of polygamy" is the language of the House. I would like to ask the gentleman if it is the opinion of those who will be conferees that that language should be changed?

Mr. BURNETT. Personally I think so. But I thought it was a matter of enough importance to go back to the conference.

Mr. LENROOT. Do the gentlemen who are to be conferees believe that their language in the House bill should be changed?

Mr. BURNETT. I do not agree with my colleague on the committee in regard to the matter. As for myself, on a casual examination that we have had to give to these matters, I think we should concur in the amendment of the Senate. But I think, as suggested by the gentleman from Illinois [Mr. MANN], on these matters of verbiage we ought to go very carefully and have an opportunity to consider them in conference.

The SPEAKER. The question is on the motion of the gentleman from Kentucky [Mr. BARKLEY] to concur in amendment numbered 11.

The question was taken, and the Speaker announced that the noes seemed to have it.

Mr. BARKLEY. A division, Mr. Speaker.

The SPEAKER. The gentleman from Kentucky [Mr. BARKLEY] demands a division. Those in favor of the gentleman's motion will rise and stand until they are counted. [After counting.] Thirty-seven gentlemen have arisen in the affirmative. Those opposed will rise and stand until they are counted. [After counting.] One hundred and forty-one gentleman have arisen in the negative. On this question the ayes are 37 and the noes are 141, and the motion of the gentleman from Kentucky is lost.

Mr. FIELDS. Mr. Speaker, is it now in order to move to reconsider the vote by which amendment numbered 9 was concurred in?

The SPEAKER. Yes.

Mr. FIELDS. I make that motion, Mr. Speaker.

The SPEAKER. The gentleman from Kentucky [Mr. FIELDS] moves to reconsider the vote—

Mr. FIELDS. I wish to have the definition to that language read from the Clerk's desk.

The SPEAKER. Wait until the Chair states the question. The gentleman from Kentucky moves to reconsider the vote by which amendment numbered 9 was concurred in.

Mr. MOORE. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MOORE. Amendment numbered 9 proposes to exclude two classes of people: One, those "of constitutional psychopathic inferiority," and the other "persons with chronic alcoholism." I would like to vote to exclude the latter class, properly defined, but I do not think we should give to the authorities such wide discretion in the matter of "psychopathic inferiority."

The SPEAKER. The Chair did not recognize the gentleman for debate.

Mr. MOORE. I wanted to ask the Chair whether we could have a division of the proposition?

The SPEAKER. If the motion to reconsider is agreed to, then you are right back where you started, and you can make any motion that is pertinent.

Mr. O'SHAUNESSY. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. O'SHAUNESSY. Did the gentleman from Kentucky [Mr. FIELDS] vote in the affirmative on the question?

Mr. FIELDS. I did.

Mr. BURNETT rose.

Mr. MANN. There was no roll call.

The SPEAKER. There was no yea-and-nay vote.

Mr. MANN. But the gentleman from Alabama [Mr. BURNETT] was on the floor seeking recognition.

Mr. BURNETT. I believe I have the floor, Mr. Speaker.

The SPEAKER. The chairman of the committee when he demands it is entitled to the floor, but the gentleman was not up.

Mr. BURNETT. Mr. Speaker, I move the previous question on the motion to reconsider.

The SPEAKER. The gentleman from Alabama [Mr. BURNETT] moves the previous question on the motion to reconsider.

Mr. FIELDS. Pending that motion, Mr. Speaker, I ask unanimous consent to address the House for five minutes.

Mr. MANN. I suggest to the gentleman from Alabama [Mr. BURNETT] that he yield the gentleman five minutes.

Mr. BURNETT. All right.

The SPEAKER. The gentleman from Kentucky [Mr. FIELDS] is recognized for five minutes, and in his time will be read this dictionary definition that he wants to be read. The Clerk will read it.

The Clerk read as follows:

Psychopathic. 1. Of, pertaining to, of the nature of, or characterized by, psychopathy.

[Laughter.]

Mr. FIELDS. I ask for order, Mr. Speaker.

The SPEAKER. The House will be in order.

The Clerk read as follows:

2. Designating, or relating to, abnormal sensitiveness to spiritual phenomena; characterized by extreme susceptibility to religious emotion, conscientious doubts, and fears, etc., or subject to hallucinatory ideas in such matters.

3. Incorrectly, of or pertaining to psychotherapeutics.

[Laughter.]

The SPEAKER. The House will be in order. The gentleman from Kentucky [Mr. FIELDS] is recognized for five minutes.

Mr. FIELDS. Mr. Speaker, the fundamental principle of our Constitution is that all men shall serve God according to the dictates of their own conscience. One man might be more enthusiastic in his spiritual worship than another, or he may differ with another man. If he is wrong, that is a matter between him and his God and not between him and his fellow man.

I maintain, sir, that this question should not be brought into this bill. I maintain, sir, that no man, because he may be emotional in his religion, or because he may differ from some other man as to his religious ideas or proclivities, should be discriminated against in the operation of this law. And for that reason, Mr. Speaker, I move to reconsider the vote by which the amendment was concurred in. That is all I care to say. [Applause.]

Mr. BROWN of New York. Mr. Speaker, will the gentleman from Alabama [Mr. BURNETT] yield?

Mr. BURNETT. Let the gentleman ask for unanimous consent.

The SPEAKER. The Chair could not understand the gentleman from Alabama.

Mr. BURNETT. The gentleman asks for one minute, and I have no objection.

Mr. O'SHAUNESSY. Mr. Speaker, I ask unanimous consent that the gentleman from New York may have five minutes. I understand he is the author of this proposition, and he can without doubt enlighten the House concerning it.

The SPEAKER. Does the gentleman from Alabama [Mr. BURNETT] yield to the gentleman from New York [Mr. BROWN] five minutes?

Mr. BURNETT. Yes.

The SPEAKER. The gentleman from New York [Mr. BROWN] is recognized for five minutes.

Mr. BROWN of New York. Mr. Speaker, I think the gentleman from Kentucky [Mr. FIELDS] is in error in assuming that the definition of the word "psychopathic" in an old dictionary is a definition of the phrase "constitutional psychopathic inferiority." Religion enters no more into this definition than into any other medical definition.

Mr. TOWNER. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from New York yield to the gentleman from Iowa?

Mr. BROWN of New York. I shall be very glad to yield to the gentleman, but my time is limited.

Mr. TOWNER. Is it not true that the definition read from the old dictionary really gives only the origin of one word of the phrase, and is not at the present time applicable at all?

Mr. BROWN of New York. I thank the gentleman for his suggestion. I think he is correct.

Now, with regard to what this phrase means, this bill includes—and I think properly—the term "feeble-minded" as among those classes which are prohibited from coming into this country. I think feeble-mindedness may generally be defined as a condition under which a person can not look after his own affairs or the affairs of his family with ordinary prudence. That is a wide definition. Feeble-mindedness may include idiocy, imbecility, and constitutional psychopathic inferiority.

Mr. SABATH. Will the gentleman yield?

Mr. BROWN of New York. In a moment. Psychopathic inferiority may reasonably be included under the general heading of feeble-mindedness, but nowadays it represents a very distinct class of persons; and a full definition of the term, with its origin, by those who have advocated its adoption into the bill, may be found on page 240 of the CONGRESSIONAL RECORD of December 15, 1914. If time remains I shall read it. First, I will say that this term can be defined with approximate correctness as a "congenital defect in the emotional or volitional fields of mental activity which results in the inability to make proper adjustment to the environment." Now, in my remaining time I will read:

This is one of the amendments which was suggested by a number of officials dealing with insanity and mental deficiency in the different States and by bodies of alienists last winter. It has been urged by the National Committee for Mental Hygiene, the American Medical-Psychological Association, the New York Psychiatric Society, the National Association for the Study of Epilepsy, the Mental Hygiene Committee of the New York State Charities' Aid Association, and by a number of State medical societies. It was also recommended by Dr. Spencer L. Dawes in his report to the governor of New York as special commissioner on the alien insane; by Dr. L. Vernon Briggs, representing the Massachusetts State Board of Insanity; by Dr. Frank Woodbury, representing the committee in lunacy of the Pennsylvania State Board of Charities; and by Dr. Hugh Young, representing the Maryland State Lunacy Commission.

Mr. LEWIS of Maryland. Will the gentleman yield for a question?

Mr. BROWN of New York. For a question only.

Mr. LEWIS of Maryland. Would not a hysterical woman be a psychopathic subject?

Mr. BROWN of New York. I will refer the gentleman to those of the medical profession, who are better posted on the diagnosis of that subject than myself.

The SPEAKER. The time of the gentleman has expired.

Mr. BURNETT. Mr. Speaker, I insist on my motion for the previous question.

The SPEAKER. The gentleman from Alabama insists on his motion for the previous question.

The previous question was ordered.

The SPEAKER. The question is on reconsidering the vote by which amendment No. 9 was agreed to.

The question being taken, the motion to reconsider was rejected.

Mr. BURNETT. Now, Mr. Speaker, I ask unanimous consent to disagree to all amendments to section 3, except 15, 18, 19, 20, and 24. Those seem to be the only controverted amendments in that section.

The SPEAKER. The gentleman from Alabama asks unanimous consent to disagree to all amendments in section 3, except 15, 18, 19, 20, and 24.

Mr. GALLIVAN. Will the gentleman include amendment 92?

Mr. BURNETT. Yes.

The SPEAKER. That is not in section 3. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 15: Page 6, line 3, after the word "unskilled," insert the words "mental or manual."

Mr. BURNETT. Mr. Speaker, I move to disagree to that amendment.

The SPEAKER. The gentleman from Alabama moves to disagree to amendment No. 15.

Mr. MOORE. Mr. Speaker, I will ask the gentleman from Alabama to give me three minutes.

Mr. BURNETT. I yield to the gentleman from Pennsylvania [Mr. MOORE] three minutes.

Mr. MOORE. Mr. Speaker, the words "mental or manual" are inserted here by the Senate and apply to the exclusion of contract laborers. The word "mental," as here used, is misleading, the inference being that it is in the interest of labor in our own country. The "mental" labor that comes from abroad means lecturers, editors, artists, and agitators of one kind or another, of whom perhaps we already have a sufficient supply. That the apparent exclusion of the "mental" class is misleading, however, is shown by a reference to page 11 of the bill, where, in view of the fact that this amendment proposes to exclude mental labor, we propose—

That the provisions of this law applicable to contract labor shall not be held to exclude professional actors, artists, lecturers, singers, ministers of any religious denomination, professors for colleges or seminaries, persons belonging to any recognized learned profession.

If we are going to exempt these "mental" laborers who come in under contract, there is no good reason to mislead "manual" laborers by including "mental" laborers in the amendment, and it should not be concurred in.

The SPEAKER. The question is on the motion of the gentleman from Alabama to disagree to Senate amendment No. 15.

The motion was agreed to.

The SPEAKER. The Clerk will report amendment No. 18.

The Clerk read as follows:

Amendment No. 18. Page 7, after line 18, insert: "All members of the African or black race."

Mr. BURNETT. Mr. Speaker, if I recollect, that was one of the amendments about which there was an understanding that we would not agree to that amendment without giving the House an opportunity of voting on it. If that is understood, I will pass it over with that understanding.

Mr. TRIBBLE. That is satisfactory to me, Mr. Speaker.

Mr. ASWELL. Mr. Speaker, I move to concur in amendment No. 18.

The SPEAKER. The gentleman from Louisiana [Mr. ASWELL] moves to concur in amendment 18.

Mr. MADDEN. Will the gentleman from Alabama yield me five minutes?

Mr. BURNETT. Mr. Speaker, this is an important amendment, and there is considerable desire for debate. I would like to reach an agreement as to how long we will debate it. I suggest 20 minutes on each side for general debate, and after that the previous question.

Mr. JOHNSON of Washington. At some time I want to make a motion to strike out the words "African or black" and insert "Mongolian and Malay." Is it in order for me to make that motion now?

Mr. MANN. The gentleman has the right to make the motion, although it would not be in order.

The SPEAKER. The motion would be in order provided it was germane, which it is not.

Mr. BURNETT. I ask unanimous consent that we have 40 minutes' debate, 20 minutes on a side.

The SPEAKER. Who is to control the time?

Mr. BURNETT. I will control the time in favor of disagreeing to the Senate amendment, and the gentleman from Louisiana on the other side.

The SPEAKER. The gentleman from Alabama asks unanimous consent that debate on this motion be limited to 40 minutes, 20 minutes to be controlled by himself and 20 minutes by the gentleman from Louisiana [Mr. ASWELL], and at the end of that time the previous question shall be considered as ordered. Is there objection?

There was no objection.

Mr. BURNETT. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. MADDEN].

Mr. MADDEN. Mr. Speaker, beginning on line 8, page 8, of H. R. 6060, the immigration bill, passed by the House at the last session of Congress and reported to the House from the Senate on Tuesday, provides—

That after four months from the approval of this act, in addition to the aliens who are by law now excluded from admission into the United States, the following persons shall also be excluded from admission thereto, to wit: All members of the African or black race.

This language would seem to make it impossible for a negro, a citizen of the United States, to reenter this country if he happened to be abroad for any reason.

This is the most drastic legislation I have ever seen proposed. It is discrimination of a kind that can not be justified.

Mr. Speaker, the possession of power should be used with great care. We never ought to use power unjustly. Men who have power can afford to be just. It would be unjust beyond measure to adopt this amendment to the immigration law. One-tenth of the American people are of the black race, and no people in all the world's history has ever been more loyal to a Government than have these people to this. [Applause.]

No other race numbering 10,000,000 of the Nation's population would submit to the indignities that have been imposed upon these people. Under this amendment citizens of America of African blood would be excluded from the right to return to America's shores. They have lived here for 250 years. They did not come here of their own accord. They have fought in every battle in which the Nation has been engaged. They have given their life blood for the preservation of the Union; they fought at New Orleans with Gen. Jackson, and in the Civil War 350,000 of these men volunteered that the Nation might be saved. They fought in 449 engagements, and left 38,000 on the field of battle, in order that we here to-day might live in a country protected by a single flag. [Applause.]

There are not many of these people who come from abroad, not more than 5,000 a year, and most of them are English subjects. It is a question whether, if you adopt this amendment, you are not going to bring this country into international complications.

The amendment operates against Christianity. American missionaries are sending large sums of money abroad in order that they may educate and christianize the people of Africa, and they frequently select young men and young women to come to America to be educated, in order that they may go back home and educate their own people. If this amendment is adopted, that can occur no longer, and we would have put our stamp of approval on the lack of opportunity to a downtrodden race of people, whose loyalty to the Government has never been questioned.

America has always made the proud boast of being just to the downtrodden of all the world. Gentlemen, only a short time ago we passed a law in this House to give self-government to the Filipino. Are we to be less just to the negro, a race of people who have stood by the Government under which we live and for which we speak to-day during all its struggles for liberty? Are we to place burdens upon this race of people that are not imposed upon any other people of the earth? They ought to be given equal opportunity with every other race to come here. They are loyal and law-abiding, and have made more progress since the close of the Civil War than any other people in all history. They are engaged in all the pursuits that make for prosperity; they are engaged in agriculture, in banking, in the manufactures, in everything that makes the country great, and yet you by the adoption of this amendment placed in the immigration law by the Senate would exclude the people of African blood from coming to America's shores, and thereby humiliate 10,000,000 loyal American citizens and place the stamp of inferiority upon them. I plead with you, Mem-

bers of the House, to open your hearts and do the thing that is just; and justice in this case can not be meted out except by the defeat of this amendment. Surely the American Congress is too great, too sympathetic, too just to enact such legislation as this. [Applause.]

Mr. ASWELL. Mr. Speaker, I yield five minutes to the gentleman from Mississippi [Mr. QUIN].

Mr. QUIN. Mr. Speaker, I am surprised at the sentiments just expressed by the distinguished gentleman from Illinois [Mr. MADDEN]. He certainly does not know much about the African race. Of all the barnacles that the civilization of the United States has fastened to it, of all the leper spots, of all the sores, of all the misfortunes that the civilization of this Republic has fastened to the body politic it is the African race, which stands as the worst. I say, gentlemen, that of all the evils that the American Republic is confronted with to-day it is this black race, this black death, this parasite of race destruction that is fastened upon the Anglo-Saxon people and upon the civilization of the United States. You had just as well to begin to understand that the white people are going to rule this country.

I would favor the deporting of the black man from the United States. Certainly I favor this amendment forbidding any more negroes from coming here, which would do away partially with that great wrong to this country.

We have a great race, but we have this one great evil, we are getting too many foreigners in this country, too many whose blood can not assimilate with that of our people. Any man that loves his country, who loves this Republic, could never hope to have the Negro race assimilate with the white race. It is impossible to the mind of any man who understands the negro to have anything except revulsion at the idea of the Negro race being placed on equality with the white people.

Mr. Speaker, I am opposed to any race of people being allowed to come into this country who are not fit to intermarry with our people. Certainly no nigger should ever be allowed to marry a white person. So far as the Negro race is concerned, social equality is an impossibility. No negro is good enough to associate with a white man. The white people in the South will never stand for the negro to even attempt to stand on any plane of equality. Why not let this amendment of the Senate stand, which forbids any negroes coming into the United States? Why not be real men and stand up for the purity of the white race all over our country? There is no evil that is so great to the real success of the perpetuity of our institutions as the black blood of this country. Talk about bringing more in here. Mr. Speaker, this is one of the wisest provisions that has been placed in this immigration bill, and the people from the State where the distinguished gentleman comes from may not know the evils as do the people of the State of Mississippi, who have had to contend with the black man as a slave, who have had to contend with him under the carpetbag, scallawag government which obtained after 1865, when the black man rode in high place, with a few of these carpetbag buzzards who held office in the State of Mississippi putting the black man in power, to run roughshod over the true civilization of this Republic. [Applause.] If my friend had those conditions in Illinois, he certainly would not want any more negroes imported into the United States. For Heaven's sake, men, if you understood what an evil the preponderance of black population is in any State or community, you certainly would not oppose this bar to any more African blood coming into this Republic. What few you have now you may manage, but if you get them on you in numbers like we have them in the State of Mississippi and other former slave-holding States, you will have a standing menace that will grow to be an intolerable danger and nuisance. I say, my friends, as a real patriot who loves his country, who loves the Anglo-Saxon blood and its predominance, we ought to let it rule, and the only way to keep it ruling is to prevent the African race from becoming too numerous in your Republic. The distinguished gentleman from Illinois [Mr. MADDEN] says you have one-tenth of the population of that blood now. That is just one-tenth too much—and I am not prejudiced against the black man, either. [Laughter and applause.]

The SPEAKER pro tempore (Mr. SHERLEY). The time of the gentleman from Mississippi has expired.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had insisted upon its amendments to the bill (H. R. 20241) making appropriations to supply urgent deficiencies in appropriations for the fiscal year 1915 and prior years, and for other purposes, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses

thereon, and had appointed Mr. OVERMAN, Mr. BRYAN, and Mr. SMOOT as the conferees on the part of the Senate.

IMMIGRATION.

Mr. BURNETT. Mr. Speaker, I yield to the gentleman from Massachusetts [Mr. THACHER].

Mr. THACHER. Mr. Speaker, I want to voice my protest against this amendment to exclude the members of the African race. I believe it is not in accordance with the Declaration of Independence or with our Constitution. I believe it is not in accord with the spirit of fair play. I understand that the number that come in now amount to about 5,000 a year, and that out of those 5,000 a large majority go back. Many come here as students. There are about 100, I understand, who attend the Howard University. Some come here as merchants from Jamaica and the West Indies. I believe it would be a mistake to exclude these men from this country, and I voice my protest here against that amendment. [Applause.]

The SPEAKER pro tempore. The time of the gentleman from Massachusetts has expired.

Mr. BURNETT. Mr. Speaker, I yield to the gentleman from Ohio [Mr. FESS].

Mr. FESS. Mr. Speaker and Members of the House, I do not speak as an opponent of the immigration bill. I voted for that bill when we had it before the House. I have looked upon the question of immigration as important. I believe that we ought to have a better class of immigrants, if possible. The bill as it went from the House was not entirely satisfactory to me, but when it comes back from the Senate with this particular amendment to it I certainly could not vote for the bill if the amendment remains in it. [Applause.] It is unwise, it is unfair, it is not magnanimous, and it is an attempt to raise a sectional question—and God knows that our Nation is too big to maintain any sectionalism in it. It is needless, even if the contention of its proponents were conceded, because of the small number of this race which come to our shores. It is an attempt to take an advantage of members of a race which has proved its right to favorable consideration by an achievement that challenges the admiration of the world. The plain recital of the accomplishments of this race, measured by the lack of opportunities of hundreds of years of slavery, furnishes as brilliant a page as can be found in the history of our country.

This unfortunate people have suffered sufficiently from a lack of protection of the Government. After "250 years of unrequited toil" the shackles of slavery were broken; but even now all the rights that belong to a nation of freemen are not enjoyed by this race that the National Government pretends to protect.

Whatever should be the conduct of the Nation toward this race to-day, we must not offer this additional offense. It is adding insult to injury. The amendment should be defeated.

Mr. BURNETT. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. MOORE].

Mr. MOORE. Mr. Speaker, this is not a question of excluding "aliens." It is a question of excluding "members" of a race. I call attention to the peculiar language we are now considering:

That after four months from the approval of this act, in addition to the aliens who are by law now excluded from admission into the United States, the following persons shall also be excluded from admission thereto, to wit, all members of the African or black race.

That is strange language. It takes the black man out of the "alien" class. It affects even his citizenship. That is to say, if a man is a black man, a citizen of the United States, and leaves it, he can not come back. By this amendment we are not only barring aliens, we are barring the black man. We permit the Chinese to come in to study in this country, and Japanese students are also privileged, but if a man is "a member of the African or black race" he can not come in, no matter whether he is a citizen of the United States or not. It is an extraordinary proposition, and would seem to be in violation of the Constitution of the United States.

Mr. ASWELL. Mr. Speaker, owing to the length of time this subject of immigration has been seriously considered by the Congress of the United States—for several years, and especially during this present Congress—it must be recognized that it is one of the most serious questions confronting the American people. It must also be recognized that the situation with reference to immigration to this country is already serious and grave enough. I believe that the majority of this Congress recognizes that the immigration question is the most complex and difficult one that confronts us. The Congress of the United States has already excluded the Chinese. Why not other undesirables? In this bill it has undertaken to restrict immigration sensibly, fairly, and sanely, and thereby try to

bring about a condition that will be to the advantage of the laboring people of the country as well as to the health, the prosperity, the happiness, and the mental and moral elevation of all of our people. Nothing in this immigration bill or in this amendment offers any opportunity for an unjust exercise of power.

The gentleman from Illinois [Mr. MADDEN] brought strongly to your attention, as did a paper which was laid upon all your desks this morning, the possibility that the use of power in this instance might be unjust, but it can not be so claimed, for the reason that the exercise of power in this particular instance is the exercise of power in the interest of the American people, in the interest of her own people first, and then justly excluding those whom you and I could not invite to our shores. It is said that an African student in one of our American colleges who went abroad could not come back. That is not true. The amendment would have no effect on that kind of case. It does not refer in the remotest sense to that situation. I believe that this body of men, representatives of the American people, after taking into consideration what this amendment means for the future generations of this country, what it means to our young men and young women of the future, you will recognize that this amendment by the Senate strengthens the bill and brings before the American people the very question that they have been clamoring to have brought before them for years, and that it recognizes the principle of worth, efficiency, and adaptability in admitting people to our shores.

Mr. DIES. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman yield to the gentleman from Texas?

Mr. ASWELL. I do.

Mr. DIES. I would like to have my colleague express an opinion, if he will do so, as to what effect the adoption of this amendment would have on the fate of the bill? That is to say, does my friend from Louisiana believe that the adoption of this amendment would not jeopardize the entire bill? And another question I would like to ask him is this: With the application of the literacy test does not the gentleman believe the few thousand now admitted of the African race would be whittled down to a nominal number, and does he believe the amendment of sufficient importance to jeopardize the entire bill by writing it upon the bill at this time?

Mr. ASWELL. I ask the gentleman from Texas in what way he suggests it may be jeopardized.

Mr. DIES. I understand there are a great many gentlemen—Mr. FESS, of Ohio, says he voted for the bill in the first instance, but he would not vote for it with this amendment upon it. It is current rumor that the President of the United States will veto this bill, that it will require a two-thirds vote to pass it over his veto, and I only ask my colleague from Louisiana if he is willing to jeopardize the many valuable features of this bill in order to correct this small matter.

Mr. HUGHES of West Virginia. Mr. Speaker, I want to say to the gentleman—

The SPEAKER. The gentleman is not in order. Does the gentleman from Louisiana yield to the gentleman from West Virginia?

Mr. ASWELL. I do.

Mr. HUGHES of West Virginia. I just want to say at this point that I voted for the bill, and I will not vote for the bill with this amendment in it, and a half a dozen of my colleagues around me have expressed the same sentiment.

The SPEAKER. The gentleman has used five minutes of time.

Mr. ASWELL. Mr. Speaker, in answer to the gentleman from Texas, I will say it is my opinion that it would not jeopardize the bill in any sense. In reply to the gentleman from West Virginia, I would say that while it may be true that he will not vote for the bill with this amendment there are many others who will vote for it provided the amendment is incorporated in the bill; but I do not consider, Mr. Speaker, that that has anything to do with the issue or has any bearing upon the amendment. I will ask the gentleman from Alabama now to use the balance of his time.

Mr. MOORE. Will the gentleman yield? I made the point a moment ago that this amendment prohibited the admission of "all members of the African or black race," and did not apply exclusively to "aliens." Would the gentleman approve an amendment applying to all "aliens" of the black race rather than "members"?

The SPEAKER. The gentleman from Louisiana has the floor.

Mr. ASWELL. I did not understand the gentleman's question.

Mr. MOORE. I ask the gentleman whether he holds to this language in the amendment; "all members of the African or black race," or whether he understands it applies only to aliens—aliens of the African or black race?

Mr. ASWELL. I am willing for it to apply to black aliens. I reserve the balance of my time.

Mr. BURNETT. Mr. Speaker, I yield to the gentleman from Kansas [Mr. NEELEY].

Mr. NEELEY of Kansas. Mr. Speaker, I am opposed to this amendment, because I believe it is fundamentally wrong. We are not engaged here in the framing of a bill to promote sectional strife, and we have long since passed the period in this country when the only argument for or against a measure is by the waving of the bloody shirt or an appeal to racial prejudice. This amendment appears to me as having been designed for the specific purpose of singling out one particular race from among all the people of the earth, and then to heap upon this designated race and each member thereof the odium of complete exclusion under all and every condition, and this, too, without any direct benefit to our own people.

Mr. ASWELL. Will the gentleman yield. What about the Chinese?

Mr. NEELEY of Kansas. I have but a moment. If this bill is passed as it was originally drawn, it will be of great benefit to the citizenship of Kansas in that it will prohibit the importation of contract laborers in competition with our own people. For years the importation of Mexican laborers under contract has resulted in driving many of our own laborers from remunerative employment without any compensating benefit, and has resulted in a demand for the enactment of the prohibitory legislation provided in this measure. The Committee on Immigration, and the splendid chairman of that committee, Mr. BURNETT, have met the situation in a manner that I believe will be effectual, but the adoption of this amendment is such a rank injustice, and will result in such a revival of sectional feeling, long since buried by the great Civil War, that if this amendment is written in this bill, as much as I believe in the exclusion of contract laborers and as much as I believe in some of the other principles of the bill, my own sense of fairness and of justice will force me to vote against the entire measure because of this amendment, which is absolutely and fundamentally wrong. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. BURNETT. Mr. Speaker, how much time have I remaining?

The SPEAKER. Eleven minutes.

Mr. BURNETT. I yield to the gentleman from New York [Mr. CALDER].

Mr. CALDER. Mr. Speaker, this Senate amendment to the immigration bill, if agreed to, will exclude from entering this country all members of the African or black race under every and all circumstances and is, in my judgment, unwise, unjust, and unnecessary. It will stir up racial strife and accomplish no material advantage to anyone. This bill, if enacted into law, will exclude from the United States the illiterate alien and all criminals and undesirables—this amendment seeks to class the negro with the criminal and undesirable. He will not be permitted to come here to be educated or visit for the purpose of travel, even if some member of his family is a citizen. The amendment is unnecessary for the reason that very few of the Negro race come here from foreign lands. Only a few thousand enter this land annually; nearly all come from the West Indies and practically none from the Continent of Africa. The census of 1910 shows that only 40,000 negroes of foreign birth reside in this country and less than 500 of these come from Africa. This amendment will prevent the citizens of Liberia, Cuba, Haiti, Porto Rico, and other West Indian islands entering this country, placing an unnecessary hardship upon the people of a race that numbers so large among our own people. The gentleman from Illinois [Mr. MADDEN] in his remarks to-day has referred to the fact that the negro was brought here in the beginning unwillingly, and in all the years of his servitude has obeyed the laws of the land; on every battle field and in every sphere of human endeavor he has done his part to uphold the hands of the Government.

It has been my privilege as a member of the Appropriations Committee of this House to visit the Isthmus of Panama and inspect the work done there on the canal. For a number of years more than 30,000 negroes, from the West Indies and other islands in the Caribbean Sea, were at work on the canal. We owe much to their industry and perseverance. Climatic conditions were of such a character that our own American negro was unable to do the work and the common laborer of Europe would not undertake it. It seems unjust and unreasonable that a people who

contributed so much to this work should be debarred from this country if able to meet the other requirements of the immigration law.

My own experience with the West Indian negro is that he is law-abiding, coming here usually with a fair education and willing to take his place with the other law-abiding, intelligent citizens of his class.

The passage of such an unjust law would undoubtedly cripple our missionary work with the negroes in Africa. It would incur enmity not easily overcome. Our people have contributed large sums of money to educate and Christianize the black races. We have brought the youth of Liberia here to educate in our schools and then sent them back to help improve the condition of their people. If this amendment prevails the door will be closed on this important work. The question is a far-reaching one, and on sober second thought I am sure the Members of this body will be induced to vote overwhelmingly to defeat this amendment.

Mr. BURNETT. Mr. Speaker, I ask the gentleman from Louisiana to use some of his time.

Mr. ASWELL. Mr. Speaker, how much time is left?

The SPEAKER. Eight minutes.

Mr. ASWELL. I yield five minutes to the gentleman from Texas [Mr. EAGLE].

Mr. EAGLE. Mr. Speaker, I think to-day's debate has demonstrated conclusively to the whole American people the fact that we have here truly a representative Government. Men take their stand upon this question to exclude negro immigration to the United States out of consideration for the point of view of their respective States and home sentiments. If one shall go to the city of Chicago, where our friend from Illinois [Mr. MADDEN] lives, and look around at his constituents, one would think he had entered into the heart of Africa. He has more voting negro constituents than any other Member of Congress. If one go along the water front of the district in Philadelphia of my distinguished friend, Hon. "HAMPTON" MOORE, he would think he was traversing the Dark Continent. Hence both of these great statesmen discourse eloquently of the political wrong involved in this amendment to prevent any more negroes from coming to this country, where they already constitute nearly one-eighth of the population of this white man's country.

Wherever a great number of negro voters live in a Member's district, then it at once becomes very un-American to want to restrict further negro immigration. But in my State of Texas, where we have vastly more negroes but have sense enough to maintain white supremacy despite them, it is entirely proper to try to restrict further increase in our negro population. And so we here faithfully reflect the views and wishes of our several constituencies.

Mr. THACHER. Will the gentleman yield?

Mr. EAGLE. If you please, no. I do not care to know anything more about the negro from Massachusetts men, even from my friend from Cape Cod, because I know that all the way from old William Lloyd Garrison down to this hour the point of view in Massachusetts about the negro is that he is the equal of the white man, except in Massachusetts. [Applause.]

Mr. Speaker, what was the occasion for this negro-exclusion amendment being offered in the Senate? I submit it for whatever it may be worth. There are some 30,000 or 40,000 negroes, it is said, working on the Panama Canal. They all belong in the West India islands. Now, the census of 1910 showed that only some 5,000 negroes are coming into this country every year, but that has no application to the status at present. No sooner will the Panama Canal work be finished than practically all those negroes will drift to the United States, if permitted, and none of them will go to Chicago or to Cape Cod. They will land at New Orleans and at Galveston and at other places on the Gulf coast, where we already have many millions of negroes, and at a time when our cotton business, in which they are best qualified to work, is so crippled on account of the exigency of the European war that we will have difficulty to support the negroes already depending on us at home. I do not want them to come into my country, because they are not needed, nor are they welcome, and especially as they will bring a viewpoint different from the way it has taken a century to educate into the southern negro. We have had quite enough negro troubles in the South. I think if we could find for our American negroes a colony over in Africa, where our Yankee cousins stole them and sold them to us, and transport them back to Africa, it might be well to do so; but certainly we should not let any more of them come to America.

I notice that these eloquent Congressmen who think it is such a disgrace to discriminate against further immigration of

negroes do not ride with them on the street cars in Washington, which are always filled with negroes, but ride instead in their own private limousines. [Applause.]

Mr. BURNETT. Mr. Speaker, I yield to the gentleman from Illinois [Mr. GALLAGHER].

Mr. GALLAGHER. Mr. Speaker, I come from the city of Chicago, which numbers many colored residents among its population, and I am opposing this amendment not because of any votes that my position upon this question would either gain or lose for me—there are but very few colored voters in my district—but I am opposing this amendment as a matter of principle. Its projection into this legislative situation convinces me that we are getting very far away from the spirit of the fathers, the men who created and built this Republic. There is no good reason for any sensible man to vote for such a proposition as this. [Applause.] But I am not surprised that it was injected into the bill at the other end of the Capitol. I am only surprised that we do not find an amendment somewhere in the bill which prohibits the entrance of any person who has not \$100,000 in his pocket. [Applause.] This legislation is designed to create a condition the establishment of which was contemplated earlier in the history of the Republic by the enactment of the alien and sedition laws—laws that became so universally unpopular as to overthrow the Adams administration and give to the country its first Democratic President in the person of Thomas Jefferson, the father of American Democracy.

We have in the city of Chicago a large and respectable population of progressive, industrious, and law-abiding colored citizens. Under the spirit of liberality that characterizes our city government these people have enjoyed the blessings of citizenship in the full and complete possession of all their personal, property, and political rights.

This ideal situation is possible only because Chicago represents in her government the true spirit of American liberty. To her confines have come the oppressed from all quarters of the globe, seeking the opportunities which her government and industries afford to all who with brain and brawn are willing to labor for the betterment of their condition. Hers is a truly cosmopolitan spirit, which disdains narrowness and intolerance; and for this reason we of the liberal city of Chicago are opposed to this class of legislation.

Mr. BURNETT. Mr. Speaker, I ask unanimous consent that whoever may desire to do so may have five legislative days in which to extend their remarks in the Record.

The SPEAKER. The gentleman from Alabama asks unanimous consent that those Members who may desire to do so may have five legislative days in which to extend their remarks in the Record. Is there objection?

There was no objection.

Mr. BURNETT. Mr. Speaker, I yield to the gentleman from Illinois [Mr. SABATH].

Mr. SABATH. Mr. Speaker, like the gentleman who has preceded me, I come from the great city of Chicago, and notwithstanding the fact that we have quite a large colored population in our city, I have none of that race in my congressional district. Therefore whatever I might say could not be construed by anyone as being said for political or personal advantage.

In fact, to me it would not matter whether it would be politically advantageous or disadvantageous to approve or disapprove, to vote for or against this provision which we are now considering.

What I have endeavored to do, and what I shall continue to do in the future, is to vote according to my conscience and my best belief, and with a view to the best interests of my country.

Everyone in this House knows that I am opposed to the literacy test in this bill, and that I have done all in my power to bring about its rejection, but my opposition was in the open, it was fair. I am against the literacy test because I consider it un-American, but I will not try to defeat it by voting for another amendment which is as great an outrage, but which has the advantage of having 8,000,000 people here on the ground to wage active opposition to it. I realize that the adoption of this amendment would not only place many a Member in a very embarrassing position and compel him to vote against the entire measure, but it would tend to make more sure a veto of the bill.

I would not be guilty of bringing about the defeat of the entire bill, or even of the literacy test, by such methods as the amendment under consideration would employ. I would not fight the literacy test at the expense of a race which has already suffered enough.

Mr. Speaker, this provision goes much further than the Chinese or Japanese exclusion acts.

It provides:

That after four months from the approval of this act, in addition to the aliens who are by law now excluded from admission into the United States, the following persons shall also be excluded from admission thereto, to wit: All members of the African or black race.

Mr. Speaker, under the present law, and even under this bill, you permit some Chinese and Japanese to come in, but under the present provision the members of the African or black race would be absolutely denied admission. I for one shall not be a party to such discriminatory legislation.

The colored people, to my mind, have made wonderful progress in the last 50 years. We find them not only tilling 80 per cent of the soil of the South, but, on the other hand, we find them in our colleges and in our universities. We find them in the legal and medical professions, and we find them engaged in almost every lawful pursuit along manufacturing and commercial lines. Are you willing to deliberately confront these people and flaunt in their faces, the faces of 8,000,000 American citizens, this insult? I am not; and for that reason I am opposed to the amendment, and trust that the motion to disagree with the Senate provision will prevail.

Mr. BURNETT. How much time have I remaining, Mr. Speaker?

The SPEAKER. The gentleman has eight minutes.

Mr. BURNETT. How much time has the other side?

The SPEAKER. Four minutes.

Mr. ASWELL. I reserved it.

Mr. BURNETT. Mr. Speaker, I yield to the gentleman from Texas [Mr. DIES].

Mr. DIES. Mr. Speaker, if this original bill is enacted into law, it will keep out 300,000 of the undesirables of Europe. There are many of us who have striven for this for years and years, and I appeal to the gentlemen who are supporting this amendment that they do not jeopardize all our efforts of all these years. Of course, we from the South have got to vote for the amendment; but, Mr. Speaker, I am one of those who greatly fear its adoption will enable the 300,000 illiterates from Europe, who would jeopardize our American institutions, to come to this country. So we ought to put this political advantage aside and take into consideration the benefits of the bill on the institutions of this country. [Applause.]

Mr. BURNETT. Mr. Speaker, I yield to the gentleman from Illinois [Mr. MANN].

Mr. MANN. Mr. Speaker, it is a great temptation to those who are opposed to this bill to vote for this amendment, because if this amendment should be agreed to in the House now it would be beyond the power of either the House or the Senate to change it, and the bill would be as dead as a last year's smelt. But, notwithstanding that, I am unwilling to stultify myself and do a great injustice to a race by putting myself on record in favor of such an amendment, which itself smells worse than the last year's smelt. I hope the amendment will be defeated by such an overwhelming vote as will do credit to this House. [Applause.]

Mr. BURNETT. How much time have I left, Mr. Speaker?

The SPEAKER. The gentleman has six minutes. The gentleman from Louisiana [Mr. ASWELL] has four minutes, and if nobody wants to make a speech the Chair will put the question.

Mr. ASWELL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ASWELL. Have I not the right to close in this debate?

The SPEAKER. No. The chairman of the committee has the right to close.

Mr. ASWELL. I yield three minutes to the gentleman from North Carolina [Mr. SMALL].

The SPEAKER. The gentleman from North Carolina [Mr. SMALL] is recognized for three minutes.

Mr. DONOVAN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DONOVAN. Does not the mover of an amendment have the right to close the debate on the amendment?

The SPEAKER. The chairman has the right. The gentleman from North Carolina [Mr. SMALL] is recognized for three minutes.

Mr. SMALL. Mr. Speaker, this amendment of the Senate seeks to exclude aliens of the African or black race. It is not to be determined by the sentiment of Members arising from the number of negroes in their districts, but on its merits. I think it is, at least, a debatable question if we are going to be consistent.

So far as the Negro race living in the United States to-day is concerned, I think the negro ought to be treated fairly and justly. I live in a Southern State, and yet I have a consistent record for many years of aiding in the education of their children and making them good and useful citizens. I further be-

lieve that he ought to be protected in his property rights and in his person. Yet in this bill and under the present law we exclude Chinese and Japanese, except those who come here as students or those who for other purposes are temporarily abiding within our domain.

Now, the question is whether we shall exclude aliens of the African race. Every reason that applies to the exclusion of Chinese and Japanese applies to the exclusion of Africans.

Mr. JOHNSON of Washington. Mr. Speaker, will the gentleman yield?

Mr. SMALL. No; I can not yield.

The SPEAKER. The gentleman declines to yield.

Mr. SMALL. They can not assimilate with our people. In many of the States intermarriage is prohibited by law, and in all of the States it is prohibited by public opinion. There can be no assimilation between the white race and the black race socially. In the Southern States it is recognized that the very basis and maintenance of our civilization rests upon preserving plainly and unequivocally the social line of demarcation between these two races. Why, gentlemen here who oppose this amendment know it is a fact that in their communities and in their cities there is no social intercourse of any kind between the two races. I can select, for example, the city of Philadelphia, and point out sections in that city into which negro families have moved from which immediately an exodus of white families has occurred, and where there has been a great deterioration in property.

Let us protect and stand for the rights of the negroes who are here in the United States to-day because their ancestors were brought here against their will, but let us raise the barrier against the importation of any more of the African race. [Applause.]

The SPEAKER. The time of the gentleman from North Carolina has expired. The gentleman from Louisiana [Mr. ASWELL] has one minute.

Mr. BURNETT. Mr. Speaker, one minute. I said to the gentleman from Illinois [Mr. MANN] that I would conclude in one speech, but I desire to yield one minute to the gentleman from Texas [Mr. SLAYDEN].

The SPEAKER. The gentleman from Texas [Mr. SLAYDEN] is recognized for one minute.

Mr. SLAYDEN. Mr. Speaker, an overwhelming majority of Members from the Southern States have supported this bill, and from high and patriotic motives. An overwhelming percentage of the Members from the Southern States agree in the main as to the propriety of preventing any further importation of an inferior race of people, as we believe them to be. But, Mr. Speaker, I do not want to imperil a bill which promises so much good to the country. I do not want to imperil a bill which not only my constituents but those of nearly every other southern Member on the floor of this House want to see enacted by taking a position which I believe will put it in jeopardy, and I appeal to my fellow Members from the South to think well over their vote on this amendment. [Applause.]

This amendment was written into the bill in the Senate on the suggestion of an enemy of the measure. All the circumstances indicate that it was not so much inspired by a desire to keep out negro immigrants as to secure the admission of undesirable immigrants from Europe.

The same reasons that impel me to support this particular measure would compel me to become the supporter of a bill to keep out negroes, whether from Africa or the West Indies. But my desire to keep out negroes does not so blind me to the circumstances that surround the Burnett bill that I will help to load it with amendments that would make it certain that we would have no legislation.

This is a parliamentary trick to defeat the Burnett bill, and I very much hope that neither the political exigencies of a district nor race prejudice will induce southern Members to help make it a successful trick.

If gentlemen sincerely want the Burnett bill to become a law, they should vote against the Senate amendment.

Mr. BURNETT. Mr. Speaker, let the gentleman from Louisiana use the rest of his time now.

Mr. ASWELL rose.

The SPEAKER. The gentleman from Louisiana [Mr. ASWELL] is recognized for one minute.

Mr. ASWELL. Mr. Speaker, there has been no effective argument made on the other side. The only argument that has been used against this amendment, if it may be called an argument, is to play politics and raise the suggestion that it might endanger the bill.

Fundamentally, I submit that that can not be considered an argument. I submit that this House should act upon this proposition without reference to any man's opinion as to whether it

will endanger the bill or not. I do not agree with the gentleman from Texas [Mr. SLAYDEN], or with any other gentleman, when he intimates that the adoption of this amendment would in any manner endanger the final passage of this bill. I believe that this Congress, both House and Senate, is serious enough and strong enough to pass this bill over any opposition, regardless of whether this amendment is in it or not. I for one do sincerely hope that this amendment will be adopted. [Applause.]

Mr. BURNETT. Mr. Speaker, how much time have I remaining?

The SPEAKER. The gentleman has five minutes.

Mr. BURNETT. Mr. Speaker, there is no man in this House that more devotedly loves the white race than I do. I was 7 years old when the first gun was fired at Sumter, and less than 12 when the flag went down forever at Appomattox. Every impulse, every sentiment, every heart throb and pulse beat of mine is for my people.

But, Mr. Speaker, I see danger in the motion made by the gentleman from Louisiana [Mr. ASWELL] to concur in the Senate amendment to exclude all people of the African race. If this bill is defeated, and Members from the South vote for this amendment and bring about its defeat, then the responsibility, gentlemen, for that defeat is on your heads.

Now, if you are ready to assume it, gentlemen from the South, if you are ready to jeopardize the 10 long years of work that we have done to try to bring about, as was said by the gentleman from Texas [Mr. DIES], the keeping out of three or four hundred thousand undesirable people, you will do it by voting for this amendment; and when you do it, gentlemen from Louisiana and Texas and Mississippi, your constituents are going to hold you responsible for the results.

Now, what does it mean? The gentleman from Texas [Mr. EAGLE] said that when these people, the Jamaica negroes, came they would come to Texas and to Alabama and other States of the South, and not go into the Northern States. The fact is, Mr. Speaker, that only about 8,000 came during last year. Fifteen hundred or more of them came to work on the Florida East Coast Railroad. More than 900 went back before the end of the fiscal year. Thirty-nine only went to Louisiana, and nine went back. Not a man of them went to Texas or to Tennessee, only a few to Alabama, none to South Carolina, Georgia, or West Virginia, none to Oklahoma, none to North Carolina or Virginia, yet over 3,000 went to New York, and over 1,600, as I recollect, went to Boston, and nearly all the others went to Philadelphia and other northern cities. Now, gentlemen, with that kind of a showing can you go before the American people and your countrymen at home and take the responsibility of jeopardizing this bill, merely for politics? [Applause.]

Let us see. Eighteen hundred and five of these people went back. The illiteracy test in this bill would have sent something like 2,000 more of them back. Now let us take just a little thought about it. Who was the author of the amendment in the Senate? The gentleman from Illinois [Mr. GALLAGHER] said it was a wonder that the Senate did not raise the amount of the head tax of the immigrant to \$100,000, but he overlooked the fact that in the Senate this amendment was offered by the Senator from Missouri [Mr. REED], who opposed the illiteracy test more vigorously and more actively than any other man in that body. That is where it originated, Mr. Speaker; with the enemies of the bill. The gentleman from Illinois [Mr. MANN] has said that perhaps men who oppose the bill would be tempted to support the amendment in order to defeat the bill. I am not charging that any Senator put this amendment on the bill in order to defeat it, but I am telling you, my countrymen, the source of this amendment, and if you gentlemen want to play into the hands of the enemies of the bill, you have got a trap set for you to walk into. Now, gentlemen, do it if you wish, but the American people must know that when you do it you have taken the responsibility by the amendment you have supported and the speeches and utterances you have promulgated here to-day of keeping the gates open to hundreds of thousands of the worst people on earth. They do not even propose in this amendment to admit students. They do not go as far as the Chinese-exclusion law in that respect.

But I am not arguing against the merits of this proposition. I am standing here as a man from the South who advocates this bill and the principles for which my people and I have been fighting for years, and appealing to my brethren from the Southland. I come from the State in which the first cradle of the Confederacy was rocked. I come from a State where we had the horrors of reconstruction that followed that terrific fratricidal strife, but I am not willing to jeopardize the bill and its provisions that I believe to be fundamentally right simply for the purpose of keeping out a few thousand of Ja-

maica negroes, when they are not coming to the South. [Applause.] You have heard to-day from many of the supporters of the bill from the North that they will not vote for it if this African amendment is put on it. We lacked only a few votes two years ago of passing it over President Taft's veto. Rumors are in the air that President Wilson will veto it. If he does, we will need every vote we can get to pass it over his veto. We have none to spare, and yet gentlemen from the South are erecting a "bogy man," knowing that its adoption will destroy all hope of the bill passing over a veto.

The Jamaicans are British subjects, and to exclude them by name would violate our treaty with England and give the President a plausible excuse to veto the bill.

I know that some of you will vote for the amendment, hoping it will not pass. The gentleman from Texas [Mr. DIES] warns us of the danger in accepting the amendment of the Senate. Many of you will do the same. Is that vote fair to the people who sent you here? You can not fool the intelligent white men at home in that way.

The gentleman from Texas [Mr. SLAYDEN] did a brave thing when he announced that he would not imperil the passage of the bill by any such a specious play.

Two brave old Confederate soldiers from the South have told me that they would stand by me in my fight to pass this bill. They see the trap set by the enemies of the bill and refuse to walk into it. My colleagues from the South, do not be deceived. When the fight is almost won, let us not fall into an ambush set by the enemies of the bill.

The SPEAKER. The question is on the motion of the gentleman from Louisiana [Mr. ASWELL] to concur in Senate amendment 18.

Mr. MANN. Mr. Speaker, on that I ask for the yeas and nays. The yeas and nays were ordered.

Mr. GALLIVAN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GALLIVAN. What is the question on which we are to vote?

The SPEAKER. The question is on concurring in Senate amendment 18.

The question was taken; and there were—yeas 74, nays 253, not voting 99, as follows:

YEAS—74.

Abercrombie	Eagle	Kitchin	Summers
Adamson	Edwards	Lazaro	Talbot, Md.
Aiken	Estopinal	Lee, Ga.	Talcott, N. Y.
Aswell	Ferris	Lever	Taylor, Ala.
Barkley	Finley	Lewis, Md.	Taylor, Ark.
Bartlett	Flood, Va.	Linthicum	Thomas
Beall, Tex.	Floyd, Ark.	Moon	Thompson, Okla.
Blackmon	Garner	Morgan, La.	Tribble
Borland	Garrett, Tex.	Oldfield	Underwood
Brockson	Goodwin, Ark.	Park	Vaughan
Burgess	Gregg	Quin	Vinson
Byrnes, S. C.	Hardy	Ragsdale	Watkins
Candler, Miss.	Harrison	Rayburn	Watson
Caraway	Heflin	Rouse	Weaver
Church	Helm	Sherley	Whaley
Collier	Hughes, Ga.	Sisson	Wingo
Crisp	Humphreys, Miss.	Small	Young, Tex.
Dent	Jacoway	Smith, Tex.	
Dupré	Johnson, S. C.	Stephens, Miss.	

NAYS—253.

Adair	Clancy	FitzHenry	Hayes
Alexander	Cline	Poster	Helgeson
Anderson	Coady	Fowler	Helvering
Ansberry	Connelly, Kans.	Francis	Henry
Anthony	Connolly, Iowa	Frear	Hensley
Ashbrook	Conry	French	Hill
Bailey	Cooper	Gallagher	Hinds
Baker	Cox	Gallivan	Holland
Barchfield	Cramton	Gardner	Howell
Barnhart	Crosser	Garrett, Tenn.	Hughes, W. Va.
Bartholdt	Cullop	Gerry	Hullings
Barton	Curry	Gill	Hull
Bathrick	Danforth	Gillett	Humphrey, Wash.
Beakes	Davis	Gilmore	Johnson, Ky.
Beck	Decker	Gittins	Johnson, Utah
Bell, Cal.	Deitrick	Glass	Johnson, Wash.
Booher	Dershem	Godwin, N. C.	Kahn
Borchers	Dickinson	Goeke	Kelly, Pa.
Brodbeck	Dies	Good	Kettner
Brown, N. Y.	Difenderfer	Gordon	Kinkaid, Nebr.
Brown, W. Va.	Dillon	Gorman	Kinkaid, N. J.
Browne, Wis.	Dixon	Goulden	Kirkpatrick
Browning	Donohoe	Graham, Ill.	Konop
Buchanan, Ill.	Donovan	Gray	Lafferty
Bulkeley	Doolittle	Green, Iowa	La Follette
Burke, S. Dak.	Doremus	Greene, Mass.	Langham
Burnett	Doughton	Greene, Vt.	Langley
Butler	Drukker	Griffin	Lee, Pa.
Byrns, Tenn.	Eagan	Gudger	Lenroot
Calder	Edmonds	Hamilton, Mich.	Leshner
Campbell	Esch	Hamlin	Levy
Cantor	Evans	Harris	Lieb
Cantrill	Farr	Hart	Lindbergh
Carlin	Fess	Haugen	Lloyd
Carr	Fields	Hawley	Lobeck
Carter	Fitzgerald	Hayden	Logue
Chandler, N. Y.			

Loneragan	Nelson	Rogers	Sutherland
McAndrews	Nolan, J. I.	Rubey	Switzer
McClellan	Norton	Rucker	Taggart
McGillicuddy	O'Hair	Rupley	Tavener
McKenzie	O'Shaunessy	Russell	Taylor, Colo.
McLaughlin	Padgett	Sabath	Temple
MacDonald	Page, N. C.	Scott	Ten Eyck
Madden	Paige, Mass.	Seldomridge	Thacher
Maguire, Nebr.	Palmer	Sherwood	Thomson, Ill.
Mahan	Parker, N. J.	Sims	Towner
Maher	Parker, N. Y.	Sinnott	Treadway
Mann	Patten, N. Y.	Slayden	Tuttle
Mapes	Paiton, Pa.	Slomp	Underhill
Martin	Peters	Sloan	Vare
Metz	Peterson	Smith, Idaho	Vollmer
Miller	Phelan	Smith, J. M. C.	Volstead
Mitchell	Platt	Smith, Minn.	Wallin
Mondell	Plumley	Smith, N. Y.	Walters
Montague	Porter	Smith, Saml. W.	Webb
Moore	Pou	Stafford	Whitacre
Morgan, Okla.	Prouty	Stedman	White
Morrison	Rainey	Steenerson	Williams
Moss, Ind.	Raker	Stephens, Cal.	Willis
Mulkey	Rauch	Stephens, Nebr.	Winslow
Murdock	Reed	Stephens, Tex.	Young, N. Dak.
Murray	Reilly, Conn.	Stevens, Minn.	
Neely, Kans.	Reilly, Wis.	Stone	
Neely, W. Va.	Roberts, Mass.	Stringer	

NOT VOTING—99.

Ainey	Driscoll	Kelster	Powers
Allen	Dunn	Kelley, Mich.	Price
Austin	Elder	Kennedy, Conn.	Riordan
Avis	Fairchild	Kennedy, Iowa	Roberts, Nev.
Baltz	Faison	Kennedy, R. I.	Rothermel
Bell, Ga.	Falconer	Kent	Saunders
Bowdle	Fergusson	Key, Ohio	Scully
Britten	Fordney	Kiess, Pa.	Sells
Broussard	Gard	Kindel	Shackleford
Buckner	George	Knowland, J. R.	Shreve
Brumbaugh	Goldfogle	Korbly	Smith, Md.
Bryan	Graham, Pa.	Kreider	Sparkman
Buchanan, Tex.	Griest	L'Engle	Stanley
Burke, Pa.	Guernsey	Lewis, Pa.	Stevens, N. H.
Burke, Wis.	Hamill	Lindquist	Stout
Callaway	Hamilton, N. Y.	Loft	Taylor, N. Y.
Carew	Hay	McGuire, Okla.	Townsend
Cary	Hinebaugh	McKellar	Walker
Casey	Hobson	Manahan	Walsh
Clark, Fla.	Houston	Morin	Wilson, Fla.
Claypool	Howard	Moss, W. Va.	Wilson, N. Y.
Copley	Hoxworth	Mott	Witherspoon
Dale	Igoe	O'Brien	Woodruff
Davenport	Jones	Oglesby	Woods
Doelling	Keating	Post	

So the motion to concur was lost.

The following pairs were announced:

Until further notice:

Mr. CLAYPOOL with Mr. GRAHAM of Pennsylvania.

Mr. IGOE with Mr. MOTT.

Mr. WILSON of Florida with Mr. ROBERTS of Nevada.

Mr. BROUSSARD with Mr. AINEY.

Mr. BUCHANAN of Texas with Mr. AUSTIN.

Mr. BURKE of Wisconsin with Mr. AVIS.

Mr. CALLAWAY with Mr. BRITTEN.

Mr. CASEY with Mr. BURKE of Pennsylvania.

Mr. DALE with Mr. GUERNSEY.

Mr. DAVENPORT with Mr. CARY.

Mr. DOOLING with Mr. HAMILTON of New York.

Mr. DRISCOLL with Mr. DUNN.

Mr. FAISON with Mr. KEISTER.

Mr. HAMILL with Mr. KELLEY of Michigan.

Mr. HOUSTON with Mr. KENNEDY of Iowa.

Mr. JONES with Mr. FORDNEY.

Mr. McKELLAR with Mr. KIESS of Pennsylvania.

Mr. PRICE with Mr. J. R. KNOWLAND.

Mr. RIORDAN with Mr. KREIDER.

Mr. SAUNDERS with Mr. MANAHAN.

Mr. SCULLY with Mr. MCGUIRE of Oklahoma.

Mr. SHACKLEFORD with Mr. MORIN.

Mr. STANLEY with Mr. MOSS of West Virginia.

Mr. KENNEDY of Connecticut with Mr. POWERS.

Mr. WILSON of New York with Mr. WOODS.

Mr. L'ENGLE with Mr. LINDQUIST.

Mr. WALKER with Mr. SELLS.

Mr. ALLEN with Mr. SHREVE.

On this vote:

Mr. SPARKMAN (for amendment) with Mr. GOLDFOGLE (against).

Mr. CLARK of Florida (for amendment) with Mr. KENNEDY of Rhode Island (against), concurring in Senate amendment No. 18.

Mr. BELL of Georgia (for amendment 18) with Mr. GRIEST (against).

Mr. HOWARD (for amendment 18) with Mr. FAIRCHILD (against).

Mr. COPLEY. Mr. Speaker, I would like to vote.

The SPEAKER. Was the gentleman in the Hall and listening when his name should have been called?

Mr. COPLEY. I came into the Hall as quickly as I could.

The SPEAKER. The gentleman does not bring himself within the rule.

The result of the vote was then announced as above recorded.

On motion of Mr. MANN, a motion to reconsider the vote on the motion to concur was laid on the table.

The SPEAKER. The Clerk will read amendment 19.

The Clerk read as follows:

Page 8, line 13, strike out all after the word "directed" down to and including the word "slip," in line 15, as follows: "No two aliens coming in the same vessel or other vehicle of carriage or transportation shall be tested with the same slip."

Mr. GALLIVAN. Mr. Speaker, I move to concur in the Senate amendment.

Mr. BURNETT. Mr. Speaker, I will yield 15 minutes to the gentleman from Massachusetts.

Mr. GALLIVAN. Mr. Speaker, if there is anything good at all in the literacy test in this bill, it is that another body has stricken out the lines in the amendment numbered 19. I want to say that I am unalterably opposed to the literacy test in the bill, and I want to bring before the House a few pertinent facts.

Mr. Speaker, literacy, which is merely an ability to read and write, has been made an idol and a bugaboo by a number of people in this country, who I am willing to believe are sincere, but who I am convinced are neither profound thinkers nor passable logicians, for, as a matter of fact, based on the experience and history of this and every other country, literacy is not a measure of character nor a test of fitness for citizenship.

Literacy, which is merely a synonym for that rudimentary education which gives men the ability to read or write, is largely a matter of accident and environment. It is a convenience, not a necessity, in the life of a people. It neither adds to nor diminishes the native ability and virtue of any people, and it is the simplest commonplace to say that no nation was ever saved, no people ever freed, no Government ever established by the pen of the writer and the book of the scholar; the vigor, courage, intelligence, and strong arms of men that accomplish these great ends were the endowment of those who were able to make history even if they could neither write nor read it. [Applause.]

If there is one thing that stands out more imposingly in our national life, yes, far more than any other, it is that literacy has not been the source of American liberty or the cause of American greatness, and our lack of a commanding literature has sometimes been a cause of national reproach.

Of the Pilgrims who landed from the *Mayflower* at Plymouth Rock in 1620 only a few could write their names. The majority of the pre-Revolutionary immigrants, like many of the post-Revolutionary, were illiterate for the simple reason that public education in the American sense was unknown in the lands they came from and public schools were few and far between. John Fiske, the historian, says that a body of immigrants that landed in New England from Ireland in 1694 contained over 50 per cent who could read and write, and he adds that this was as rare as remarkable in the peoples who flocked to America in that succeeding century. Then, as now, the men who faced the hazards of the tempestuous ocean and the perils of a savage continent were usually the bravest and most enterprising of their class; they had courage, strength, common sense, native ability, and a willingness to work out their own salvation in a new country; they founded settlements and built up Commonwealths by their own talents and labors and with scant aid from kings and governments, and as they laid broad and deep the foundations of law and liberty they added schools out of their meager means to give their children what they lacked. As Emerson has so wisely said, the farmer, laborer, artisan, fisherman, and chopper are the Commonwealth, not the lawyer, the scholar, and the penman; these latter are in fact the parasites of our civilization, not its creators and producers. Too many of us, Mr. Speaker, make the mistake of confounding and confusing the terms of illiteracy and ignorance; and this body hardly needs to be told that lack of letters and lack of knowledge are two entirely different things.

With the peace, progress, and prosperity of America came the desire for education, the passion and reverence for letters that seem so purely and pathetically American, and the means to build schools and colleges, but we must not confuse the cause of conditions with the result of them. We earned our bread and built our homes in the days of our illiteracy. We secured the butter for our bread and the books for our homes when we earned the price of them with our sweat and muscle. [Applause.]

Mr. Speaker, it is important to remember that this alleged stream of alien illiterates has been flowing into America since the early days of the seventeenth century; its fanciful dangers have begun to dawn on us in the twentieth. Let me state a fact which must not be construed into a jibe, a plain and incontrovertible fact. The vast majority of that "dangerous and illiterate immigration" has gone into the country north of Mason and Dixon's line and west of the Mississippi River, and within those regions are to be found the most industrious, progressive, prosperous, and educated States in the Union; and in the States outside those regions is to be found the largest percentage of illiteracy—white and black—in this Republic. May I ask without offense one question about this bugaboo of illiteracy? Is the alien illiteracy at our ports of entry dangerous and the native illiteracy innocuous? Will not that question bring to you men of reason the reflection that we are placing too high a value on letters and expecting too much from literacy? Will not your own conscience and experience tell you that literacy has little to do with the virtue and intelligence which are the bases of all character and the essentials of all good citizenship?

May I say to some of my good friends on this side of the House that you seem to forget that only the other day your ancestors were alien, the sons of England, France, Ireland, Italy, Scotland, Poland, Germany, Russia, and other lands; and though that stream of fresh and revivifying blood has ceased to flow into the South, it still continues to renew the energies and courage of the North as ever. You know why it was deflected from the South; it would not seek competition with slave labor, for these aliens represented the most adventurous and courageous sons of Europe; and when slavery ceased the alien stream still refused to change its course.

There is a singular and inexplicable prejudice in the South against the emigrant, presumably because you do not get him and do not know him; yet the fact remains that his energy, courage, fidelity, and brains have made the regions wherein he has cast his fortune blossom like the rose. He has come by the millions into the North. Wherever he has gone schools have sprung up; industries have flourished; trade has increased; wealth has multiplied; prosperity has bloomed; and patriotism, peace, law, order, intelligence, and happiness follow in his footsteps. [Applause.]

Al, Mr. Speaker, what we need to do in considering this question is to stop and think and place our fingers on the vital and crucial spots in history and learn the story they tell us.

The divine Nazarene chose His apostolic twelve from the lowest classes of Palestine; and yet these men—most of them when called by the Savior, illiterate—accomplished the greatest revolution this earth has seen.

When Greece and Rome, filled with scholars, redolent of letters, and despising the human foundation stone of all society, rotted and perished, Charlemagne, guiltless of letters, remade Europe. William the Norman, who transformed savage Saxon-England into a country in touch with European civilization, could neither read nor write. When Raleigh sought to found a colony at Jamestown with gentlemen of letters and leisure, it ended in disaster; and Virginia became a possibility only when the strong and courageous illiterates of England came with ax and plow to do their work. George Washington had only an ordinary common-school training; but which of his men of letters, his men of college training and social polish could match him in the wisdom, foresight, patience, skill, and the qualities that gave him success and brought him immortality?

Andrew Jackson was the son of an illiterate Irish emigrant, and himself a man of meager education; but who will say that it was Jackson's literacy that won New Orleans and gave America two of its most notable administrations? Kings Mountain and the kings were beaten by the splendid illiterates of the Alleghenies; it was these same Irish illiterates who won the West, and gave us such illustrious Commonwealths as Kentucky. Daniel Boone and Sam Houston, pioneers and empire builders, were of this breed of illiterates; and the school, literacy, and the schoolmaster followed in their trail. [Applause.]

We have grown fat and foolish in our progress; we forget our origins; we imagine that the eternal verities will change and that the letters and scripts that man has made have, by some curious alchemy, become greater and more worthy than the gifts God has given us.

Mr. Speaker, let us look for a moment at the other side of the picture. We know that a literacy test will bar from our land its most vital necessity—strong, vigorous, simple, God-fearing peasants who come here to find homes and to make the wilderness blossom into fertility; but will your literacy test keep out

a single criminal whose record and antecedents we are ignorant of? You will find some illiterate criminals who have been guilty of crime of sudden passion, of violence; men who united ignorance with illiteracy; but it is everlastingly true that the crimes most injurious to society, most detrimental to business, commerce, and finance are never the work of illiterates.

The forger, the conspirator, the crooked promoter, the business defaulter, the blackmailer, the bank thief, the political grafter, and all that class of criminals, outside of and outnumbering the criminals of passion and violence, are literate. They read and write, for these vicious talents must be supplemented by literacy to make them profitable. Vicious talent sharpened and developed by letters is the most serious problem society has to deal with. Yet, Mr. Speaker, this absurd literacy test will admit the dangerous European criminal of the continental cities and bar out the honest and hard-working and badly needed peasant—farmer and laborer—whether he be English or Irish or French or German or Hebrew or Polish or Italian or Lithuanian.

In every crisis of the country's history these alien classes have stood loyally by the Republic that gave them asylum and home. [Applause.] And I venture to say that the domestic dangers, violence, insurrections, and rebellions that have come to this Republic have always been the work of native Americans and never of aliens, literate or illiterate.

In conclusion, Mr. Speaker, let me say that literacy is not a test of character, manhood, or civic fitness. It is a trap to catch the unwary; it is contrary to American principles and practices, and is merely a sop thrown to provincial prejudice and parochial panic. Its warmest advocates are those who have failed to deal with illiteracy at their own doors and who are only seeking—perhaps unconsciously and not deliberately—to cripple the industrial regions which have known how to utilize all honest labor and to build upon illiteracy the temple of literacy.

Mr. Speaker, the passion for literacy, like the grace of charity, should begin at home. [Applause.]

Mr. BURNETT. Mr. Speaker, I move the previous question on the motion to concur.

The previous question was ordered.

The SPEAKER. The question is on the motion of the gentleman from Massachusetts [Mr. GALLIVAN] to concur in Senate amendment No. 19.

The question was taken; and on a division (demanded by Mr. GALLIVAN) there were 35 ayes and 96 noes.

So the motion to concur was lost.

The SPEAKER. The Clerk will report amendment No. 20.

The Clerk read as follows:

Page 9, after the word "residence," in line 13, strike out the word "solely."

Mr. BURNETT. Mr. Speaker, I move to disagree with the Senate amendment.

Mr. SABATH. Mr. Speaker, I have a preferential motion. I move to concur in the Senate amendment.

Mr. BURNETT. I yield five minutes to the gentleman from Illinois [Mr. SABATH].

Mr. SABATH. Mr. Speaker, I am of the opinion that if there is an amendment that is of any benefit in this bill it is this short amendment No. 20. All this amendment aims to do is to strike out the word "solely." So that the amendment can be understood by the membership of the House, I wish to read a portion to which this amendment applies and which it aims to modify.

There is an exemption as to whom the literacy test shall not apply, and it reads:

All aliens who shall prove to the satisfaction of the proper immigration officer or to the Secretary of Labor that they emigrated from the country of which they were last permanent residents—

The amendment strikes out the word "solely"—for the purpose of escaping from religious persecution.

If this amendment should be agreed to, then it would not be absolutely necessary that each and every immigrant whom we are trying to aid and assist shall prove that he is actually fleeing from religious persecution. The Senate realizing and recognizing that it was the desire of the people who framed the exception to give some relief to these thousands of unfortunate, persecuted people, wisely eliminated the word "solely" so that it would not be necessary for aliens to prove that they were emigrating solely for that purpose, a thing which it would be impossible for them to do. An inspector might ask such an alien, "Are you not also coming to this country to better your condition or to live in a country of freedom and liberty?" The emigrant would be obliged to answer in the affirmative, and the result of this honest answer would be his exclusion, because

he can not come in for that purpose, but must come solely because of the fact that he is fleeing from religious persecution. In view of the fact that 99 per cent of these people come here not alone for the reason that they wish to escape religious persecution, not alone for the reason that they believe that this country will guarantee to them the right to worship God according to their own beliefs, but because they wish to better their condition and make a real home for their loved ones, I believe the Senate amendment should be approved.

They are not coming solely for the first reason, but also for the other reasons; yet if they admit it it will mean their exclusion and the penalizing of truth and honesty.

Mr. Speaker, as I stated a moment ago, this amendment should be adopted, as it is the one really valuable amendment adopted in the Senate. I wish to assure you that most excellent reasons were given in the Senate for the adoption of this amendment. I know that thousands upon thousands of our best citizens have appealed to our committee, and, failing, appealed to the Senate. It was upon this plea of these worthy people that the provision was adopted in the Senate. I sincerely trust that the House will concur.

Mr. Speaker, originally I endeavored, both in the committee and in the House, to secure the adoption of an amendment which I considered reasonable and fair; but, due to the misunderstanding of conditions on the part of the majority of the Members at the time it was offered, it was rejected. I shall offer it again if the opportunity presents itself.

The amendment would amend the provision so that it would read that the following classes of persons would be exempt from the operation of the literacy test, to wit:

All aliens who shall prove to the proper immigration officer or to the Secretary of Labor that they emigrated from the country of which they were last permanent residents for the purpose of escaping from religious, political, or racial persecution, whether such persecution was evidenced by overt acts or by discriminatory laws or regulations.

This amendment, if enacted or adopted, would tend to exempt from the operation of the literacy test all those persecuted on account of political, religious, or racial prejudice.

Surely no one who is not blind with prejudice could object to this provision. Did not our Pilgrim Fathers come here to escape religious persecution? Could they have passed the literacy test if one had then been in force? Surely not, because history tells us that 50 per cent of them were illiterate. Why should we, then, at this late day penalize the aim and ambition of those who desire to be free?

Mr. Speaker, I fully recognize the temper of the House. I realize that the continuous and poisonous articles injected by the professional restrictionists' lobby conducted by the so-called patriotic orders, still in existence, have poisoned the minds of many men—and well-meaning men, at that—to such an extent that they are incapable of honest, intelligent, and sane discretion and understanding.

My remarks are made for the purpose of awakening them and bringing them to see and to realize the fairness and humanity of the proposed amendment.

If we desire to be fair with ourselves and fair with the thousands upon thousands of honest and sincere men and women of this country who appeal to us, this word "solely" should be eliminated and my motion to concur with the Senate amendment should prevail.

Mr. BURNETT. Mr. Speaker, I yield five minutes to the gentleman from Massachusetts [Mr. GARDNER].

Mr. GARDNER. Mr. Speaker, this is to all intents and purposes the equivalent of the amendment offered by the gentleman from Oklahoma [Mr. MURRAY] when the bill went through the House. That amendment was thrashed out at the time, and the House voted it down. Let me give you the reasons why the House voted it down. At the very time when the bill was pending there was an alleged religious persecution going on in Bulgaria, so we all could see very clearly what would happen if we struck out the word "solely." Anyone coming from Bulgaria could at that time have readily evaded an illiteracy test, if there had been any, by the simple declaration to the inspector of immigration that he was fleeing from religious persecution. Think of what a field for the exercise of the individual judgment of each inspector you will open if you strike out the word "solely." The inspector will have to make up his mind as to whether the major motive actuating each illiterate incoming immigrant is a desire to escape religious persecution or whether that is merely a minor motive. We have copied this word "solely" from the English statute regulating the admission of persecuted aliens. That statute has been in force for a good many years and has proved hard to evade. For the first time, in 1906, on the floor of this House an amendment to the illiteracy test was offered excluding from its operation persons flee-

ing from religious persecution. The amendment was offered by Mr. Littauer, a Representative from the State of New York. Canvassing it all over, Mr. Littauer himself conceded the wisdom of qualifying his amendment by the insertion of the word "solely." You can not make your laws too plain, because if you leave any ambiguity you are going to have inspectors in Boston enforcing the law in one way and inspectors in Galveston enforcing it in a totally different way, when it ought to be enforced equally and in the same way, no matter to what port the immigrant may come.

Mr. BURNETT. Mr. Speaker, the purpose of this is to exempt from the illiteracy test those that are fleeing from religious persecution. Our committee thought and the House thought that if we undertook to enlarge it or allow the enlargement of the operation of that exemption by the option of inspectors we would be in interminable confusion, and that there would be decisions one way at one point and another way at another point, letting Mexicans in along the border, perhaps, because they were fleeing from religious and political or some other persecution. Therefore, in order to have no ambiguity, no uncertainty, to have it absolutely fixed and definite and make known that we intended only to allow those to escape the illiteracy test who were fleeing from religious persecution, that word solely was inserted by the House, and I hope that the House will nonconcur in the Senate amendment.

I move the previous question on the motion of the gentleman from Illinois.

The previous question was ordered.

The SPEAKER. The question is on concurring in the Senate amendment.

The question was taken; and on a division (demanded by Mr. SABATH) there were—ayes 47, noes 77.

So the motion to concur was rejected.

Mr. SABATH. Mr. Speaker, would it be in order now to offer an amendment in connection with that amendment which has just been nonconcurrent in?

Mr. BURNETT. Mr. Speaker, I make the point of order that the House has already nonconcurrent.

The SPEAKER. The Clerk will report the gentleman's amendment.

The Clerk read as follows:

Page 9, line 14, after the word "religious" and before the word "persecution," insert "political or racial," and after the word "persecution" insert the words "whether such persecution be evidenced by overt acts or by discriminatory laws or regulations."

Mr. BURNETT. Mr. Speaker, I make the point of order that that is not germane to any Senate amendment.

The SPEAKER. The Senate amendment simply strikes out the word "solely," and this amendment offered by the gentleman from Illinois has nothing to do with that.

Mr. SABATH. Do I understand the Speaker to sustain the point of order that it is not germane?

The SPEAKER. The point of order is sustained. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment 24: Page 11, line 21, strike out all after the word "guests" down to and including the words "United States," in line 23 and insert in lieu thereof the following: "Provided further, That the provisions of this act relating to the illiteracy test or induced or assisted immigration shall not apply to agricultural immigrants from Belgium who come to the United States during the course of the present European war, or within one year after its termination owing to circumstances or conditions arising from the war, if it is shown to the satisfaction of the Commissioner General of Immigration that said Belgian immigrants come with intent to engage in the work of agriculture in the United States and become American citizens."

Mr. CULLOP rose.

The SPEAKER. For what purpose does the gentleman from Indiana rise?

Mr. CULLOP. I desire to move to concur in the Senate amendment with an amendment.

The SPEAKER. The gentleman will state his amendment.

Mr. CULLOP. Mr. Speaker, my amendment would be to insert, after the word "agricultural," in line 21, the words "or manufacturing," and, in line 1, on page 13 of the Senate print of the proposed amendment after the word "agriculture," insert the words "or for manufacturing."

The SPEAKER. The Clerk will report the amendment.

Mr. GALLAGHER. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman rise?

Mr. GALLAGHER. I would like to offer an amendment to the amendment.

The SPEAKER. The gentleman will wait until we get the other one reported. The Clerk will report the amendment.

The Clerk read as follows:

Amend, on page 12, line 21, by inserting after the word "agricultural" and before the word "immigrants" the words "or manufactur-

ing," and, on page 13, after the word "agriculture," insert the words "or manufacturing."

Mr. GARDNER. Mr. Speaker, I make the point of order that it is not germane. One individual proposition may not be amended by another individual proposition even though the two apply to the same class.

Mr. CULLOP. Mr. Speaker—

The SPEAKER. Does the gentleman from Massachusetts think that rule applies to that decision?

Mr. GARDNER. Well, the gentleman from Massachusetts is willing to leave it without debate to the Speaker, but he thought it worth trying. [Laughter.]

The SPEAKER. Well, the Speaker does not think the point of order is well taken.

Mr. GALLAGHER. Mr. Speaker, I would like also to include, in line 21, after the word "Belgium," the word "Poland," and also, in line 26, after the word "Belgian," the word "Poland."

Mr. BURNETT. Mr. Speaker, I make a point of order on that.

The SPEAKER. The point of order is sustained.

Mr. GALLIVAN. Mr. Speaker, I would like to offer an amendment.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Mr. GALLIVAN moves to concur in Senate amendment No. 24 with an amendment striking out the word "Belgium," on page 12, line 21, and inserting in lieu thereof the words "any European country," and, in line 23, by striking out the words "one year" and inserting in lieu thereof the words "five years," so that the paragraph will read: "Provided further, That the provisions of this act relating to the illiteracy test or induced or assisted immigration shall not apply to agricultural immigrants from any European country who come to the United States during the course of the present European war, or within five years after its termination owing to circumstances or conditions arising from the war."

Mr. BURNETT. I make the same point of order.

The SPEAKER. The point of order is sustained.

Mr. GALLIVAN. Mr. Speaker, I would like to offer another amendment.

Mr. SABATH. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman from Illinois rise?

Mr. SABATH. I am of the opinion that the amendment offered by the gentleman from Massachusetts is germane.

The SPEAKER. It is already decided.

Mr. SABATH. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SABATH. I understand that the gentleman from Massachusetts secured the floor to offer an amendment to amendment numbered 24, which amendment—

The SPEAKER. The gentleman from Illinois does not seem to realize what the situation is. The gentleman from Indiana [Mr. CULLOP] offered an amendment, and any amendment offered now is a substitute to the Cullop amendment. The Cullop amendment simply puts laborers in factories in with agricultural laborers.

Mr. SABATH. So it is temporarily out of order?

The SPEAKER. It is out of order now.

Mr. GALLIVAN. Mr. Speaker, I offer a substitute amendment to the Cullop amendment.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amendment to the amendment: Strike out the word "Belgium," on page 12, line 21, and insert in lieu thereof the words "any European country," and in line 23—

Mr. MANN. Mr. Speaker, I make the point of order that is not an amendment to the amendment. That is not a substitute, either. It has nothing to do with the amendment offered by the gentleman from Indiana.

The SPEAKER. It is not germane to the Cullop amendment.

Mr. BORLAND. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman from Missouri rise?

Mr. BORLAND. For a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BORLAND. Is not a motion to concur without an amendment privileged over a motion to nonconcur?

The SPEAKER. Not at this stage of the proceedings. The amendment is not in order even as a substitute. It must be germane. Now, the gentleman from Indiana is trying to accomplish one single purpose, so far as his amendment shows on the face, and that is to put laborers in manufacturing institutions in the same class with agricultural laborers.

Mr. CULLOP. That is the proposition exactly.

The SPEAKER. That is all there is to it, and this amendment is not in order.

Mr. GALLIVAN. Mr. Speaker, I have another amendment, which I send to the Clerk's desk.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Mr. GALLIVAN moves to concur in Senate amendment 24 with an amendment inserting, after the word "citizens," on page 13, line 2, the following words: "Provided further, That the provisions of this act relating to the illiteracy test or induced or assisted immigration shall not apply to immigrants from any European country whose father, or grandfather, or wife, or mother, or brother, or sister, or uncle, or aunt, or niece, or nephew, or son, or grandson, or granddaughter, or cousin is now in the United States of America."

Mr. MANN. Mr. Speaker, I make the point of order that that is not in order at the present time.

The SPEAKER. The point of order is sustained. The question is on the Cullop amendment.

Mr. CULLOP. Mr. Speaker, will the gentleman yield me some time?

Mr. BURNETT. How much time does the gentleman desire?

Mr. CULLOP. I would like to have five minutes; I may not use that much.

Mr. BURNETT. I yield five minutes to the gentleman.

Mr. MANN. Is there any way of reaching an agreement now in regard to the length of time?

Mr. BURNETT. It is just as well we should do so at this time as any other.

Mr. STAFFORD. There may be other amendments proposed which Members might like to discuss. We have only one amendment pending at this time.

The SPEAKER. Has the gentleman any suggestion to make?

Mr. BURNETT. Let us get through with the five minutes of the gentleman from Indiana.

Mr. MOORE. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman rise?

Mr. MOORE. To ask for time in the event time is granted to the gentleman from Indiana [Mr. CULLOP].

Mr. BURNETT. I have yielded five minutes to the gentleman from Indiana.

Mr. MOORE. I may not want it. I want to hear the gentleman from Indiana.

The SPEAKER. The gentleman from Indiana [Mr. CULLOP] is recognized for five minutes.

Mr. CULLOP. Mr. Speaker, the purpose of this amendment was stated by the Chair a moment ago. There are a large number of glass industries in this country, and a large number of Belgians are employed in the manufacture of this product by these industries. The industry in Belgium has now been destroyed by war. It was the greatest competitor that this country had in this industry and we now practically have a monopoly of it. For the first time in the history of this industry since the Revolution we are now exporting glass. We commenced to do so last October and our export trade is rapidly growing. There will be great need of expanding the industry for this reason. We need these skilled laborers, if they see fit to come here, for the purpose of assisting in this great industry. They are skilled mechanics in this line and can assist in promoting it. They make good citizens. They either build or buy their homes. They are a thrifty class of people and they build up the citizenship of the country. Now, if agriculturists from Belgium are to come in here free from this test, why should not these manufacturers be granted this same privilege, as they are an industrial class of people who are needed in this country and who will assist in building up the country? If this amendment is to be adopted, it ought to include this class of industrial workers as well as the agriculturists, and I hope the amendment I have offered will be adopted.

The glass industry is flourishing here now as it never did before, our trade is expanding for these products, and they are commanding the very best of prices. Labor is employed at high prices and the demand is greater than the supply. We not only have our home market to supply, but since the European war broke out we have foreign markets to supply, and the industry is in a most prosperous condition. Wages in this line of industry are high, and the men employed are skilled laborers and a frugal people. We should encourage them and encourage their citizenship.

For years this industry under a high tariff languished and was practically paralyzed. It was overtaxed. The Underwood bill reduced the duties on glass products about one-half of what they were in the Payne-Aldrich bill, and from the day the Underwood bill became a law the industry began to improve, getting better daily, until now it is in a most flourishing condition, operating constantly at a splendid profit and daily expanding. Belgians are known to be the greatest experts in the world in this line of business, and if they come and locate with us they will prove a valuable acquisition to our industrial

population. They are thrifty and enterprising, producers of wealth, and will aid much in the development of our great industrial resources. As the war in Europe progresses it is manifest that much of the better class of citizens of those unfortunate countries will seek other countries for habitation—countries where peace prevails and where business is not disturbed by war; where property may be accumulated and retained and wealth preserved. Our country affords in this regard greater security than any other. It is more favorable for residential and industrial purposes than any other, and these people will naturally turn to our country and take up their residence with us and become citizens. They will become good citizens who will identify themselves with our different lines of business and become important factors in the progress and prosperity of our country. For all such we should lend encouragement and bid them thrice welcome. They will aid us in commerce, industry, and the creation of wealth. They are a peaceable and industrious people and will assist materially to the upbuilding of this great country and the maintenance of its institutions, and I hope to see them come to assist us in the great work now devolving on us as the greatest world power on the globe.

Mr. BORLAND. Mr. Speaker, a parliamentary inquiry.

Mr. MANN. Will the gentleman from Alabama [Mr. BURNETT] yield to me?

Mr. BURNETT. I desire to yield two minutes to the gentleman from Pennsylvania [Mr. MOORE], a member of the committee.

Mr. BORLAND. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BORLAND. I notice this amendment No. 24 is in two parts—one strikes out the language of the original bill as it left the House and the other adds new matter that has no relation to the matter stricken out. Is not that in effect two amendments? Is it not possible to separate the amendment striking out the language of the original House bill from the amendment inserting new matter? It seems to me those should have been numbered as separate amendments, because the House will evidently want to vote on that amendment striking out the language of the original bill separate from the new matter inserted by the Senate.

The SPEAKER. The amendment No. 24 is in the nature of a motion to strike out and insert. The Chair does not think they are two different amendments.

Mr. BORLAND. The matter inserted by the Senate is not germane to the matter stricken out.

The SPEAKER. In the House it would have been ruled out, but the Chair does not know anything about the rules of the Senate. We take whatever we find as their amendments. How they got them in we do not know.

Mr. BURNETT. Mr. Speaker, I yield two minutes to the gentleman from Illinois [Mr. MANN].

Mr. MANN. Mr. Speaker, the situation on this amendment demonstrates the absolute necessity of sending the amendment to conference. No one can afford to vote for the Senate amendment with an amendment no matter what he thinks in reference to the Belgium proposition. The Senate amendment is to strike out of the bill this provision:

That nothing in this act shall exclude the wife or minor children of a citizen of the United States.

And to insert in lieu thereof a provision authorizing the admission of agricultural Belgians. Now, we fought very hard in the House to have in this bill a provision authorizing an American citizen to bring his wife and minor children to the United States regardless of the literacy restriction, but this amendment strikes that out and leaves it so an American citizen can not bring his wife to the country and can not bring his minor children to the country. What satisfaction will it be to us to leave that out of the bill and insert a provision that agriculturists from Belgium may come in when not one of them wants to come in?

Now, if the Belgium proposition should remain in the bill, it should remain in in connection with the other provision, which ought not to go out of the bill. The proposition to concur in the Senate amendment strikes out a good provision of the bill in order to insert one of doubtful value. The conferees can provide so as to leave in the good provision which we had in the bill, and, if necessary, add to the bill the Belgium provision.

Mr. SHERLEY. Will the gentleman yield?

Mr. MANN. I will.

Mr. SHERLEY. Why can not we agree to the Senate amendment with an amendment that would reinsert the very language that the Senate struck out?

Mr. MANN. I do not say that that could not be done, but I am quite sure that it will not be done intelligently, because all

of the gentlemen who have suggested amendments to this proposition—and a number have been suggested—have proposed to leave out the provision that was in the House bill, and no one has prepared a proper amendment covering the subject. And the only way the House can act intelligently upon a matter like this is to let it go to conference. Possibly both provisions may remain in the bill, but the provision in the House bill that the Senate struck out is worth a dozen of the others so far as immigration is concerned and of value to the citizens of the United States.

Mr. LEVY. Mr. Speaker, I desire to offer an amendment.

The SPEAKER. The gentleman from Alabama [Mr. BURNETT] has the floor.

Mr. STAFFORD. Will the gentleman from Alabama [Mr. BURNETT] yield to a question?

Mr. BURNETT. Yes.

Mr. STAFFORD. I understand the gentleman stated he was quite willing to allow this amendment relating to the Belgian sufferers to come to the House separately before coming to a final agreement in conference?

Mr. BURNETT. Yes; when we were trying to expedite matters, that was correct.

Mr. STAFFORD. You intend now to depart from that understanding?

Mr. BURNETT. Was that an understanding?

Mr. STAFFORD. I understood it was. I did not make any motion or offer an amendment. But if you do not do that I will get busy and include both provisions.

Mr. GARDNER. There was never any understanding of that sort, even before the discussion went on. What the gentleman said was that we would come back and give the House a chance to vote on it before we agreed to the Senate amendment, but he distinctly gave it to be understood that if the Senate receded we should not be back.

Mr. STAFFORD. He made no such qualification. I wish to say to the gentleman that he gave the distinct impression that we would have an opportunity to vote.

Mr. GARNER. The gentleman is mistaken as to the impression.

Mr. STAFFORD. I was paying particular attention to it.

Mr. BURNETT. Mr. Speaker, I now yield five minutes to the gentleman from Georgia [Mr. TRIBBLE].

Mr. LEVY. Mr. Speaker, I offer an amendment to the amendment offered by the gentleman from Indiana [Mr. CULLOP].

Mr. BURNETT. Mr. Speaker, I make the point of order that that amendment is not germane.

Mr. LEVY. The gentleman has not heard it.

Mr. CULLOP. Mr. Speaker, is that amendment germane to my amendment?

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Mr. LEVY moves to concur in Senate amendment No. 24, on pages 12 and 13, with the following amendments:

Lines 20 and 21, page 12, strike out the word "agricultural."

Line 26, page 12, strike all after the word "to."

Line 1, page 13, strike out the following words: "work of agriculture in the United States and."

Mr. BURNETT. Mr. Speaker, I make a point of order against the amendment. There is another amendment pending before the House, and that one is not germane.

Mr. LEVY. That is germane, Mr. Speaker, to the amendment as offered here now. I offer that as an amendment to the Cullop amendment.

Mr. BURNETT. That is not an amendment to the amendment.

The SPEAKER. The Clerk will read it again, so that the House can understand it.

The Clerk read as follows:

Amend Senate amendment No. 24, on pages 12 and 13, with the following amendments:

Lines 20 and 21, page 12, strike out the word "agricultural."

Line 26, page 12, strike out all after the word "to."

Line 1, page 13, strike out the following words: "work of agriculture in the United States and."

The SPEAKER. The Chair thinks that is a fair amendment, germane to the Cullop amendment or a substitute for it.

Mr. LEVY. Now, Mr. Speaker, will the Clerk read the whole substitute with this amendment in it?

Mr. BURNETT. I insist, Mr. Speaker, that was not offered to the Cullop amendment, but to the Senate amendment.

The SPEAKER. The gentleman from New York [Mr. LEVY] was trying to offer it as an amendment or as a substitute, as it turns out to be. The question is on agreeing to the Levy amendment to the Cullop amendment.

The question was taken, and the Speaker announced that the yeas seemed to have it.

Mr. LEVY. A division, Mr. Speaker.

The SPEAKER. The gentleman from New York [Mr. LEVY] demands a division.

The House divided; and there were—ayes 22, noes 75.

So the amendment to the amendment was rejected.

Mr. BURNETT. Mr. Speaker, I now yield to the gentleman from Georgia [Mr. TRIBBLE].

OPPOSING BELGIAN EXEMPTION.

The SPEAKER. The gentleman from Georgia [Mr. TRIBBLE] is recognized.

Mr. TRIBBLE. Mr. Speaker, this proposition to prefer the Belgians to other races at this time may involve this Government in serious complications. Treaty rights may be questioned and the passage of this amendment will be construed as an expression of congressional opinion of the rights of the belligerents. This Congress is traveling on dangerous ground when it undertakes to select among the European belligerents and prefer one to another. The President of the United States stood on the floor of this House and appealed to this Congress that the United States Congress should be absolutely neutral. The President of the United States has appealed to every man, woman, and child in the United States to give no expression of preference as between these people. How can we pass this amendment without showing a preference to the Belgians? Have not the Poles suffered in the same proportion? How about French Normandy? How about Lorraine, and how about various other portions of that country at the present time?

Germany contends that she invaded Belgium because Germany was about to be invaded, and that Belgium was in the alliance against her. Belgium insists that she was neutral, and that she struck the invaders of her country. The French Government says her country was invaded and her homes devastated. Serbia contends that she is fighting for her existence. Now, Mr. Speaker, what right have we to give a remote expression of an opinion on that question? It is enough for us to maintain the integrity of all the American Republics, without interference with European nations.

Mothers and fathers appeal to us not to involve this country in the European war. They beg for their sons not to be sent to die on foreign territory about European questions, where we are not concerned and really have no interest. I say to you, Mr. Speaker, that this is dangerous legislation that this Congress is discussing and about to place on the statute books of this Nation. It is a dangerous precedent, even if we escape complication. I want to warn the friends of this bill that this amendment comes from the enemy, and I want to warn the Members of this House who are friendly to this legislation that if this Congress passes this amendment it means the veto of the bill by the President. The President of the United States, in my opinion, will never approve this bill with this amendment. The men who propose this amendment and the men who pushed it through the Senate and who propose to push it through this House are unfriendly to this immigration legislation, and they believe that the President of the United States will not want to approve this bill, containing the Belgian amendment. If he is unfriendly to the bill, it will give him an excuse, and a good excuse, to veto it. And not only that, this House would not pass this bill over the President's veto with that amendment in it.

This movement comes from the Southern Commercial Congress. I do not understand how any friend to this bill regulating immigration from foreign countries can afford to support this amendment. In the first place, are we legislating in this bill in the interest of American citizens or are we legislating for the Belgian citizens? I have sympathy for the Belgians, but I have no sympathy with the movement to make exception of them in this immigration bill, inviting them to come. I certainly have no sympathy with the movement of certain organizations to raise money and advance each of them \$2,500 to buy farms. It has been announced in the press that not only will money be advanced to buy farms, but when a colony is located a priest will be furnished, paid one year by benevolent organizations for the colony, thus locating them throughout the South with these superior advantages to thousands of native farmers.

Mr. Speaker, I have no patience with the rich philanthropists who would prefer the foreigner with his benevolent contributions to the native American citizen. I have not heard of any benevolent movement to finance the native farmers of the South or any other section by aiding them to purchase farms.

Mr. Speaker, there are millions of laboring men walking the streets out of work during this serious depression, and this amendment proposes to admit Belgians to land here and compete with them. There are thousands of southern farmers who are distressed and need work who have sold their cotton and

find themselves unable to pay their bills and finance the new crop. Now you propose to introduce these foreigners to compete with them and increase the production of cotton, thereby depressing the value by overproduction during the present year of distress and in the years to come. We have seen efforts made here to curtail production of cotton by national legislation. This I opposed. I can not understand the consistency of Members voting to curtail production and yet they vote to import these Belgians to increase production at a time when millions of our own native southern American citizens are suffering and in distress on account of depression of business.

Yes, Mr. Speaker, it is proposed to throw open the doors to Belgians when millions are idle and hungry—American citizens pleading for work and an opportunity to support their dependent wives and children. Let us not add to their despondency, let us not add to their misery, let us not add to their hunger, but let us add something to their comforts.

Mr. Speaker, I thought we were amending our immigration laws for the benefit of American citizens. I read the Senate amendment; it reads as follows:

Provided further, That the provisions of this act relating to the illiteracy test or induced or assisted immigration shall not apply to agricultural immigrants from Belgium who come to the United States during the course of the present European war or within one year after its termination owing to circumstances or conditions arising from the war, if it is shown to the satisfaction of the Commissioner General of Immigration that said Belgian immigrants come with intent to engage in work of agriculture in the United States and become American citizens.

Mr. Speaker, those of you who favor the immigration bill should know that this Belgian amendment comes from the enemies of this bill. I am informed the Southern Commercial Congress has been promoting the Belgian farm colonization proposition. Let me show you that the Southern Commercial Congress is headquarters for opposition to this bill. On December 12, 1914, the Southern Commercial Congress issued literature from which I quote:

Resolved, Eighth, That as any successful movement of farmers to the lands of the South will necessarily encroach heavily upon the labor supply of the great industries of the country, the time is not propitious for restrictive legislation by the Congress of the United States, in so far as it is likely to affect agricultural immigration to the South.

I am reading from literature issued by the headquarters of the organization promoting Belgian colonization in the South.

Let me read further:

Whereas it is agreed that the future development of the South is to be measured largely in terms of an efficient industrial and agricultural immigration: Therefore be it—

That is the propaganda they set forth, that the progress in the South is to be assured by the introduction of foreign immigrants. So far as I am concerned, speaking for the good old State of Georgia, the citizenry of Georgia to-day is good enough for me. [Applause.] I do not propose to admit that the 98 per cent of native white citizens of the South are dependent on foreign immigration for future development in the South. Indeed, I do not propose for this slander on the South to go by unnoticed.

Mr. BATHRICK. Mr. Speaker, will the gentleman yield?

Mr. TRIBBLE. I will.

Mr. BATHRICK. Did not the movement to colonize Florida emanate from the same source?

Mr. TRIBBLE. I am not informed about that; but if the gentleman says it did, I take his word for it, and I am not surprised if it did.

Mr. Speaker, coming from the headquarters of the Southern Commercial Congress is this proposition, and every native of America should resent it. It has been published in the Georgia papers, and I presume, all over the United States, that there is an organization that proposes to advance to these Belgian foreigners \$2,500 each to buy them farms. What have they proposed to do for native citizens? We ask nothing of the Commercial Congress and resent the statement that our southern people are dependent on foreigners for future development. I desire to especially call attention of southern Members to this one statement issued by the Southern Commercial Congress; and I want to call the attention not only of southern Members but Members from other sections of the country to this statement quoted, because it contains a reflection on native-born citizens of this country.

First, Mr. Speaker, I appeal to the patriotism of this House not to pass any legislation or make any utterance that might have a tendency to cause our sons to be mustered into service to fight about European questions. I appeal, in the name of innocent fathers and mothers, to you not to take this step.

Second, Mr. Speaker, I appeal to you not to pass this amendment because it is not just and fair to the native American citizen to be brought into competition with Belgian farmers at this time of our national depression—or any other time.

Those who wish to contribute to the aid of these unfortunate people can do so, but let their money be sent across the ocean. [Applause.]

Mr. BURNETT. Mr. Speaker, I hope that the Cullop amendment will not prevail, and I hope that the entire proposition will be sent back to conference. The effect of the adoption of the Cullop amendment would be that in those places where there is the greatest complaint about cheap labor the effects of the illiteracy test would be absolutely nullified.

Mr. CULLOP. Mr. Speaker, will the gentleman permit a question?

Mr. BURNETT. A question; yes.

Mr. CULLOP. You have heard no complaint as to wages in the glass industry, I hope. That is the highest-paid labor we have in the country, and always has been.

Mr. BURNETT. If that be true, then it is worthy to be filled by American laborers. If there is an industry in the country that is paying reasonable wages, for God's sake let the American workingman do the work and earn the wages. [Applause.] Do not bring in the low-priced labor from some other country in order to beat it down and knock him out.

Mr. MOORE. Will the gentleman yield?

Mr. BURNETT. For a question.

Mr. MOORE. Does the gentleman know that the wages paid to Belgian glassworkers are about one-quarter less than those paid to glassworkers in the United States?

Mr. BURNETT. No; I do not.

Mr. MOORE. It is substantially the fact.

Mr. BURNETT. I should like to know how you could hitch them onto the glass industry and keep them there. If they should come in under the Cullop amendment, they could go into any industry that they pleased. South Carolina tried something like that several years ago. Some enterprising gentlemen in that State decided that they wanted the State of South Carolina to bring a lot of Belgians over—the same people that gentlemen are talking about. They brought over two shiploads of them, as I recollect; and I was talking to the distinguished Senator from South Carolina who had charge of this bill in the Senate and managed it in a way that did him great honor, and he told me that there are not a dozen of them in the State of South Carolina to-day. Here is what Mr. Gompers says about it:

South Carolina five years ago established a State bureau of immigration, appropriated considerable money to it, and with a fund raised among cotton-mill owners, real estate dealers, and others peculiarly interested, its commissioners went abroad and brought two shiploads of immigrants from Belgium and distributed them, to the number of 762, to various places; but in two years few, if any, of these induced immigrants were to be found in the State. Consequently, March 4, 1909, a law was passed forbidding a State official to attempt, directly or indirectly, to bring immigrants into the State of South Carolina, Virginia and North Carolina, which for a time had been taken in with South Carolina on the distribution scheme, after a brief experience refused to appropriate any more funds for that purpose.

That, Mr. Speaker, is a quotation from an article entitled "The scheme to distribute immigrants," by Samuel Gompers.

Not only that, but the Senate amendment does not stop merely with excepting them from the illiteracy test. The greater part of the Belgians can escape that test, because the greater part of those over 14 years of age are able to read their own language. But, Mr. Speaker, there is another proposition in the amendment that is more dangerous than that. It is to break down the law against the admission of induced and assisted immigrants, so far as the Belgians are concerned. In the first place, I believe the amendment is a violation of the favored-nation clause. If not, as has been so well said by the gentleman from Georgia [Mr. TRIBBLE], it is a violation of our neutrality; and the amendment offered by gentlemen here to-day, and the arguments that have been made by these gentlemen in favor of breaking it down so as to bring in other nationalities, show that that is true.

How can this country, with its strict neutrality, say that because of the sympathy which we all have for these people we can discriminate in favor of the Belgians, when along the Hungarian and Austrian borders there are no doubt many cases of people who are just as meritorious and who had no part in bringing on the war? And how can we escape the amendments offered by gentlemen for the Hollanders and the people of various other countries if we undertake to break it down as to one nationality? And when you have done that, Mr. Speaker, you have broken down the illiteracy test. Not only that, but you have broken down the law which has been so salutary for years against induced or assisted immigrants, because that is what this amendment aims to do. A gentleman from London came to my office a week or two ago and asked me if I would not consent to an amendment to the contract-labor law and the assisted emigrant law so as to allow Bel-

gians to come in. I said, "I will not. I believe that the contract-labor law and these correlative laws are wise, and I am not for relaxing those laws one jot or tittle." He said, "There are 500,000 of these Belgian refugees in London." I said, "Well, over here in the Northwest there are going to Canada from among the splendid citizenship of our country 100,000 every year, because they say that there are cheaper lands in Canada. If you have 500,000 of these Belgian people in London, why do you not try to settle them on the cheap lands in Canada to which you are inviting the splendid young American manhood from my country?" And that ended the colloquy, because the English people do not intend to send them there.

Mr. Speaker, whom would we get by this amendment? I am informed that there is a Belgian law that those between 18 and 55 years of age are subject to military duty. Do you not believe every able-bodied Belgian has to-day responded to the call of the colors or is ready to do so? Do you believe that those who are so unpatriotic as to stay out of the Belgian army when the King of Belgium is in the field at the head of his brave soldiers are the kind of citizens that we need in any industry or on our farms?

That is the class of people we would get. We would not get the able-bodied Belgians, because they are not leaving their country. We would get those who are dependents, and God knows that our own charitable institutions are to-day filled and our own people are overburdened to take care of the poor at our own doors.

The low price of cotton occasioned by the war has brought many a poor southern farmer to distress and want. Now, can we vote for a proposition that will bring to us the starving people from another land to take the bread out of the mouths of our own distressed and starving poor?

We hear from the industries all over our own land of thousands of unemployed men and women and children. And yet gentlemen would bring in the decrepit, the aged, and the women and the children and those that can not bear arms to compete with our American labor.

I hope, Mr. Speaker, that the Cullop amendment will be voted down. It would bring Belgians into competition in the industries with those laborers among us who have borne the heat and burden of the day. There is where the chief complaint has come from every part of the country in skilled as well as unskilled labor. The bill makes an exception in skilled labor, where no other labor can be found. This can be brought in under our bill.

Under this amendment they do not have to be skilled, but any Belgian that is coming to work in manufactures or on farms can come in and go into the industries or anywhere else that he pleases.

As far as the South is concerned, we welcome the right kind of immigration, but now we do not need any more farm labor. We are making this year 2,000,000 more bales of cotton than we could consume or sell in normal times. Our people are turning from cotton to the diversification of crops, the raising of hay and food products and stock. Then that field would not be opened up to them, because thousands of our oppressed farmers will go into diversified farming.

I do not wish to charge any improper motive to the distinguished Senators that favored this amendment, because some supported it at the other end of the Capitol who are friends of the bill. I found at one time recently, when I was making a speech before a certain organization, that colonization companies were back of this same proposition, railroads are back of this idea, steamship companies are back of it; and at the Southern Commercial Congress I found people from Boston, from New York and Buffalo, from Chicago and Minneapolis telling us in the South what kind of labor we needed. That is where these heresies emanate from, and I hope that the entire proposition will be voted down. I want to say here and now, as far as I am concerned, that I am against the Cullop amendment and against the amendment of the Senate also. [Applause.]

I represent a rural district where most of my constituents are a home-owning and home-loving people, and from not one of them have I had a request for Belgian immigrants. Most of them are poor, but they do not want to see their country overrun and their lands taken from their children by a horde of aliens who have no sympathy with our manners nor with the traditions of our fathers.

Let no Juggernaut of greed and commercialism crush out the independence of our people. I hope to see the immigration bill become a law, but whether it passes or not, so long as my people intrust me with their commission I expect to stand here and fight back such propositions as this. In the name of the

farmers and of the laborers in the industries of my district I protest against it. [Applause.]

Mr. HARDY. Mr. Speaker, I want to address a few remarks on this subject.

Mr. BURNETT. I will yield to the gentleman from Texas five minutes.

Mr. HARDY. Mr. Speaker, there has something of a feeling of sadness come to me while listening to this discussion and watching these proceedings that have been going on here to-day. I could not help but think when I heard the discussion about illiterates being admitted if they came here, solely to escape religious persecution, and the insistence on retaining the word "solely," of the time when our Pilgrim fathers landed on the New England coast these many hundred years ago. I thought that if they had been asked if they were escaping from religious persecution they would have said yes, but if they had been asked whether in their hearts they were not hoping for a brighter future, and whether dreams of a happier day temporarily might not have entered their fancy when they left the Old World, they would have said yes to that also. They would not have said that they came here "solely" on account of religious persecution. But they did wish to worship God under their own vine and fig tree, and for that, among other reasons, they sought this happy shore of ours. [Applause.]

That is not all. As I listened here it seemed to me that poverty and rags has become a criminal again in this free land, as it often has been in other lands. I believe, Mr. Speaker, if a man can not read or write, if he is unable to do so, and yet is sound in mind and body, it is not because he is a criminal, but because he is poor and oppressed. The time was when we gloried in the fact that this was, and was to be, the land of refuge for the oppressed of the ages.

I have listened now for a long time to these good men all around me and heard their views, for this discussion has been going on for months, and I think of the day some 2,000 years ago when another group gathered at the foot of the cross and there was an expression then from Him who hung aloft, "Father, forgive them, for they know not what they do."

I have a feeling of sadness when I hear good men anxious to exclude the suffering and the oppressed from the Old World because they are poor, and especially to exclude those who, in the throes of war, are despoiled and suffering now and who may seek our land for the hope of a little of the sunshine we have so long enjoyed, inherited from our fathers. [Applause.]

My friends, it does seem to me that the whole theory of this legislation is wrong. It is not according to the spirit that moved our fathers. It is contrary to the noblest and truest instincts of the human heart, which reaches down to help the lowly instead of pressing him deeper under the turgid waves. That is what we are doing; that is what this legislation means; and for one, I am against it and against all kindred legislation. It does seem to me that the old spirit of Know-nothingism has not only awakened, but has taken new life in this happy day of ours. [Applause.]

Why, the Master said, as the chief sign of his divinity, "Go tell them that the poor have the gospel preached to them," but we a Christian people deny to the poor bread and sunshine. It has been said here that we would keep this land for our children to fill, but that is not so, because by this law itself we throw it open to the educated, the well to do, those who need no help. Only the illiterate, the poor, we deny. They may be the sons of those who died on Poland's plains for freedom. What matters that? They are ragged, they are illiterate, they are poor! Their fathers may have held the pass at Thermopylae or fought at Marathon or kept back the yellow hordes in the Middle Ages, and saved Europe and our fathers then. What matters that? They are poor now. When the Pharisee was asked, "Why, what evil hath He done?" he answered, "He hath blasphemed," and perhaps he believed his charge; but we, when we are asked "What evil hath he done?" are dumb. He is ragged, he is illiterate, and we crucify him on the tree of poverty.

Through tattered clothes great vices do appear;
Robes and furr'd gowns hide all, plate sin with gold,
And the strong lance of justice hurtless breaks;
Arm it in rags, a pigmy's straw does pierce it.

Why should America deny Europe? Europe gave us all—this fair land. Their wandering over unknown seas, their toil, their daring, their blood gave it to us; gave it to our fathers when they were ragged, illiterate, oppressed, persecuted, poor. Now we have grown strong and proud and rich and we say to these later sons of Europe, "You are poor, you shall not come, you shall not share our blessings."

Lord, God of hosts, be with us yet,
Lest we forget—lest we forget.

Judge of the nations, spare us yet,
Lest we forget—lest we forget.

For frantic boast and foolish word,
Thy mercy on Thy people, Lord.

Mr. BARTHOLDT. Mr. Speaker, I ask for three minutes in which to address the House on this question.

Mr. BURNETT. Mr. Speaker, I will yield to the gentleman from Missouri three minutes.

Mr. BARTHOLDT. Mr. Speaker, for the reasons so eloquently stated by the gentleman from Texas [Mr. HARDY] I have always opposed the literacy test, and I am opposed to it now. If I had my way, I would extend the exemption provided for the Belgians in this bill to all the laboring men in Europe if they desired to come to this country of ours.

Mr. HARDY. If the gentleman will yield, I want to say that that was my purpose, too.

Mr. BARTHOLDT. Mr. Speaker, I desire to call the attention of the gentlemen who will probably have this matter in hand when the bill goes to conference to one fact, that if there is any class of laboring men in Belgium who are needed at home and who will be needed for the future, it is the agricultural laborer, for the purpose of tilling the soil and raising the breadstuffs necessary to support that starving population which is now being supported partly by Germany, although under international laws she is not required to do so, and partly by the United States; but if you want to make an exemption, I should say you ought to include the people of Galicia and the people of east Prussia, countries which have been devastated by the Cossack much more than Belgium has been devastated, and if we are to base legislation upon sentiment, let us do it in a practical way and include all those who are entitled to American sentiment in the present emergency. [Applause.]

Mr. BURNETT. Mr. Speaker, I yield to the gentleman from Illinois [Mr. BUCHANAN].

Mr. BUCHANAN of Illinois. Mr. Speaker, when I see gentlemen here who I know are educated, experienced, and sincere spending their time and efforts making speeches for the poor foreign working people, I sometimes wonder how it is possible for them to stand by and have nothing to say in behalf of the poor, downtrodden, foreign-born working people of this country, who, after having come here, are now being exploited and robbed by the greedy system. A part of that same foreign element of whom they speak is to-day on strike in Colorado, Ohio, Michigan, and other places, trying to protect themselves from those vicious corporations and financial pirates who, through their far-reaching methods of fraud and deception, have induced these people to come here, and are now forcing upon them a yoke of industrial slavery such as never before has been experienced in this American country.

Why is it that men plead with such apparent sincerity of purpose for the poor, ignorant people of the foreign countries, yet fail to raise their voices to secure protection for them in this country from the industrial combinations that are exploiting them and forcing them to work under conditions that are almost unbearable?

I suppose many are seeking publicity in the press by contributing to the Belgians and raising their voices to attract sympathy there, but it is very difficult to secure sympathy and assistance from these same people for those who are being exploited by the Rockefeller system in Colorado and other places. Mr. Speaker, such a position is ridiculous to me, and tends to make one lose confidence in the sincerity of purpose of such efforts. If sincere, their thoughts and sympathies float over the seas and can not be attracted here. God knows the condition of the working people in many parts of this country need the best thought and efforts of the best men we have to secure an equitable adjustment of them. To come to the right conclusion on any question of this importance we must take into consideration existing conditions, and conditions here now are such that to admit large numbers of poor, ignorant foreign working people is only adding to the number of industrial slaves and making it more difficult to secure just conditions for our wageworkers. Let us exercise our influence to protect those foreign American workmen who are now here against the vicious Rockefeller system of exploitation of the workers that seems to be running rampant throughout the country. [Applause.]

Mr. Speaker, I am in favor of this bill because I believe that these poor, ignorant immigrants are being influenced to come to this country in large numbers to be exploited by the steamship companies and large industrial corporations, to cut down the price of labor, and lower the standard of living of the workmen of our country. I believe that many of those who oppose this legislation are sincere in their efforts in regard to the matter, but in regard to this question I think they are laboring

under a delusion. They have said, for instance, that the great labor movement does not understand this question and is laboring under a delusion, because it is making an effort to protect the working people of the country from the hordes of foreigners coming here to drive the American workmen and the foreign workmen who came here before them out of employment. It has also been stated by gentlemen here that the representatives of the labor unions of the country do not reflect the will of the rank and file of the wageworkers or the majority of the membership of their unions. If they did not act in accordance with the will of the majority of their unions, they would not be selected as their representatives.

The action of the United Mine Workers of America in their convention at Indianapolis, Ind., was voted by delegates fresh from the mines, and who represented practically all of the mining districts throughout the United States. There were represented in that convention approximately 415,000 miners, which trade probably has a larger percentage of foreign-born workmen than any other. Will anyone say that the delegates to this convention did not reflect the will of the majority of their unions in passing a resolution in opposition to immigration? No one believes that they acted contrary to the will of the majority of the mine workers of the country or with any spirit of bad feeling or ill will toward the foreigners. Those who are working at their trades, associating with their fellow workers in the industrial grind, so to speak, know better what is best for their own interests than do those who are practicing law, and it is an error on the part of any gentleman to say that their environments are such that they do not understand questions directly concerning the wage earners.

Mr. John Mitchell, who was president of the United Mine Workers of America for a number of years, a man who has the confidence of the mine workers of the country and who has given this question much study and thought, in an article entitled "Protect the Workman," appearing in the *Federationist* of October, 1909, has the following to say on the subject:

"Certain steamship companies are bringing to this port many immigrants whose funds are manifestly inadequate for their proper support until such time as they are likely to obtain profitable employment. Such action is improper and must cease. In the absence of a statutory provision, no hard and fast rule can be laid down as to the amount of money an immigrant must bring with him, but in most cases it will be unsafe for immigrants to arrive with less than \$25 besides railroad ticket to destination, while in many cases they should have more. They must, in addition, of course, satisfy the authorities that they will not become charges upon either public or private charity."

No official bulletin upon the subject of immigration has attracted more attention or caused more discussion than that issued under date of June 28, 1909, by the commissioner of immigration at the port of New York, from which the above excerpt is taken. It is both interesting and significant to observe the expressions of approval and disapproval of the principle laid down by Commissioner Williams for the guidance of prospective immigrants and the steamship companies through whose instrumentality large numbers of aliens are induced to leave the countries of their nativity and seek temporary or permanent homes upon our shores.

While this article is written from the standpoint of a wage earner, the subject is approached from the viewpoint of an American, because, fundamentally no governmental policy can be of permanent value to the wage earners as such that is not beneficial to our country and all our people; and it is because a high standard of living and a progressive improvement in the conditions of life and labor among workmen are essential to the prosperity of the whole people that the wage earners believe in a reasonable and effective regulation of immigration.

The commissioner of the port of New York, in serving timely notice upon steamship companies and indirectly upon the people of the Old World that "in most cases it will be unsafe for immigrants to arrive with less than \$25, besides railroad ticket to destination," has laid down a rule that, if followed, will not only afford some measure of protection to American labor, but will also protect the poor and oppressed of other countries by deterring them from coming here without adequate means to enable them to maintain themselves until such time as they can secure employment at a rate of wages comparable to the standard prevailing in the trade in which they seek work. When it becomes known in the countries of Europe that it is necessary for an immigrant to have in his possession a sufficient amount of money to pay his own way to the interior of the United States and to live until he can secure work at the prevailing rate of wages, only such immigrants will seek admission as are of the better class, and the danger of lowering the American standard of living will be materially reduced. It goes without saying that it is no advantage to society when an alien gains admission to our country and is forced by his necessities to accept employment at a rate of wages lower than the established or prevailing rate in the class of work he undertakes to do. And it is a real hardship to the American workman and a loss to society if the newly arrived immigrant underbids him and secures the job held by one of our own citizens.

The standard of wages for both skilled and unskilled labor in the United States has been built up as a result of years and years of energetic effort, struggle, and sacrifice. When an immigrant without resources is compelled to accept work at less than the established wage rate, he not only displaces a man working at the higher rate, but his action threatens to destroy the whole schedule of wages in the industry in which he secures employment, because it not infrequently occurs that an employer will attempt to regulate wages on the basis of the lowest rate paid to any of the men in his employ. Any reduction in wages means a lowering of the standard of living, and the standard of living among a civilized people can not be lowered without lowering in the same ratio the physical standard and the intellectual and moral ideals of that people.

Of course, it may be said that this observation is not borne out by the experience and the history of our country. It is admittedly true

that our population is largely an immigrant population, and that the standard of living has gradually tended higher; but in considering the influence and effects of stimulated immigration it is necessary to contrast conditions now with conditions prevailing in the past, and also to keep in mind the change that has taken place in the extent and the character of the immigration.

If the number of aliens coming annually to the United States were no greater now than in any year between 1820 and 1880, there would be, and could be, no reasonable ground for complaint; indeed, there would be little demand from wage earners for the enactment of laws restricting immigration if the number of aliens arriving did not exceed the number admitted in any year up to 1900, provided, of course, that such aliens were not brought here as contract laborers or were not physically, mentally, or morally defective.

That immigration in recent years has been stimulated beyond the line of assimilative possibility will be apparent even to the casual observer when the volume of immigration at the present time and in the recent past is compared with the number of immigrants who arrived here during the first 80 years for which statistics have been tabulated. For illustration, more aliens were admitted through our ports in one year, 1907, than were admitted during the entire 24 years from 1820 to 1843, inclusive; and nearly as many aliens were admitted in the five years from 1904 to 1908, inclusive, as were admitted during the 40 years from 1820 to 1859, inclusive.

It is important to an intelligent understanding of this subject that at this point consideration be given not only to the extent of present immigration as compared with the immigration of early times, but also to the character and intention of many aliens who in recent years have gained admission to our country. It is safe to say that prior to 1880 nearly every immigrant, except contract laborers, left his own country for the purpose of making a permanent home for himself and his posterity in the country of his adoption. The immigrant of those days was a sturdy adventurous pioneer, who was willing to undertake and withstand the struggles and the hardships incident to the development of a new and oftentimes dangerous country. He expected to carve out a career for himself, to build his home, and to find employment on ground and in fields upon which no other man had claim. The avenues and the opportunities of employment and home building of early times have largely passed away. To-day the alien has not the chance, even though he have the inclination, to be a constructive factor in the development of a new and high civilization. Large numbers of the immigrants of recent years regard our country simply as a foraging ground in which they expect to make a "stake," and when they have done so to return to their own countries and spend the remainder of their lives there; and this "stake" is too often accumulated by eating and living in a manner destructive of physical and social health. An immigration of this character is of absolutely no benefit to us. The alien who enjoys the advantages and protection of our Government and afterwards takes or sends his accumulated savings back to the country of his birth is not unlike our butterflies of fashion whose parents invest American millions in the purchase of foreign titles.

That the question of immigration presents a real problem which is rapidly approaching a crisis is evidenced by many circumstances all of which point in the same direction—not the least of these being the act of Congress creating a commission to make an exhaustive investigation into the effects of immigration upon our national life. From public and private institutions of charity comes the ominous warning that the means at hand are insufficient to relieve the cry of distress; the bread line, that standing indictment against society which has been duplicated in other cities and in other sections of the city of New York, proclaims louder than words that something is radically wrong. Trade-unions, ever jealous of their prestige and of the dignity and self-respect of their members, have given out millions of dollars, to buy bread for those of their number who can not find work to do. And all this time, during which able-bodied men anxious and willing to work are tramping the streets and the highways in idleness, hundreds of thousands of immigrants are pouring in upon us—some to make the struggle of the American worker more difficult to bear, and others to be recruited into that army of unemployed which threatens to become a permanent institution of our national life.

It is not sufficient to say that these are abnormal conditions, the result of a temporary industrial depression, or that the evils will vanish with the return of "good times." While there can be no doubt that a revival of industrial activity will relieve, in a measure, the strain of the situation, and perhaps the cry of want and the mutterings of discontent will be less frequently heard, nevertheless a cure will not be effected and the problem will remain unsolved. The world does not owe a living to an able-bodied man, but society does owe its workmen an opportunity to earn a living under fair and reasonable conditions. The first duty of a community is to give its own members the opportunity of being employed at decent wages; then, and not until then, its arms should be held wide open to welcome the less favored of every nation and of every clime.

The American wage earner, be he native or immigrant, entertains no prejudice against his fellow from other lands; but as self-preservation is the first law of nature our workmen believe and contend that their labor should be protected against the competition of an induced immigration comprised largely of men whose standards and ideals are lower than our own. The demand for the exclusion of Asiatics, especially the Chinese and the Hindus, is based solely upon the fact that as a race their standard of living is extremely low and their assimilation by Americans impossible. The American wage earner is not an advocate of the principle of indiscriminate exclusion which finds favor in some quarters, and he is not likely to become an advocate of such a policy unless he is driven to this extreme as a matter of self-preservation. He fails, however, to see the consistency of a legislative protective policy which does not, at the same time that it protects industry, give equal protection to American labor. If the products of our mills and factories are to be protected by a tariff on articles manufactured abroad, then, by the same token, labor should be protected against an unreasonable competition from a stimulated and excessive immigration.

And it is highly important to the peace and harmony of our population, whether it be native or alien, that discrimination against Americans shall not be permitted. Every good citizen will view with regret and foreboding the publication of advertisements, such as the following, which appeared in the *Pittsburgh papers* a few days ago:

"Men wanted. Tanners, catchers, and helpers, to work in open shops. Syrians, Poles, and Roumanians preferred. Steady employment and good wages to men willing to work. Fare paid and no fees charged." The suggestion that American labor is not wanted is likely to arouse a sentiment of hostility against the foreign workers whose labor is preferred by the companies responsible for advertisements of this character. Nothing but evil can come from discord and racial antagonism.

At the same time that the American workman recognizes the necessity of reasonable restriction upon the admission of future immigrants he realizes that his own welfare depends upon being able to work and to live in harmony and fellowship with those who have been admitted and are now a part of our industrial and social life.

There is perhaps no group in America so free from racial or religious prejudice as the workmen. It is a matter of indifference to them whether an immigrant comes from Great Britain, Italy, or Russia; whether he be black, white, or yellow; whether he be Christian, Mohammedan, or Jew. The chief consideration is that wherever he comes from he shall be endowed with the capacity and imbued with the determination to improve his own status in life, and equally determined to preserve and promote the standard of life of the people among whom he expects to live. The wage earners, as a whole, have no sympathy with that narrow spirit which would make a slogan of the cry, "America for the Americans"; on the contrary, we recognize the immigrant as our fellow worker; we believe that he has within him the elements of good citizenship, and that, given half a chance, he will make a good American; but a million aliens can not be absorbed and converted into Americans each year; neither can profitable employment be found for a million newcomers each year in addition to the natural increase in our own population.

That there is an inseparable relation between unemployment and immigration is demonstrated by the statistics which are available upon the subject. There are, of course, no complete data showing the extent and effects of unemployment, but from the records of 27 national and international trade-unions it is found that during the year 1908 from 10 to 70 per cent of the members of various trades were in enforced idleness for a period of one month or more. These 27 unions are selected from the highly skilled trades, in which organization is most thorough and systematic. Their records show that an average of 32 per cent of the total membership was unemployed. If this ratio applied to other organizations, it would indicate that approximately 1,000,000 organized workmen were without employment during the past year. Assuming that unemployment affected the unskilled and unorganized wage earners in the same proportion, it would mean that 2,500,000 wage earners were unemployed; and while there has been a marked improvement in industrial conditions during the past few months, it will not be contended that unemployment is not still a serious problem and the cause of great and general suffering. Indeed, it is perfectly safe to say that the unskilled and unorganized workmen suffered more from unemployment, both as to the proportion who were so unemployed and in actual physical and mental distress, because the organized workman, in most instances, had built up in normal times a fund upon which he could draw to tide him over his emergency; whereas the unskilled and unorganized workmen—many of whom are recently arrived immigrants—were forced to depend upon charity or upon the munificence of their friends to carry them over the industrial crisis.

In connection with this subject, a significant feature of our immigration problem presents itself. Of the 113,038 aliens admitted in March, 1909, which figures are typical of all other periods in recent years, only 10,224 were skilled workmen, while 77,058 were unskilled laborers; the remaining 25,756 being women and children, professional men, and others having no definite occupation. In other words, these figures show that less than 10 per cent of the aliens admitted in the month of March were equipped and trained to follow a given line of employment, whereas 77,058 were thrust upon us; in most cases so situated that they would be compelled to accept the first job, and at any wages, offered to them. It is true that many thousands of these laborers are classed as "farm hands," but it requires no exhaustive inquiry to discover that a farm hand from continental Europe rarely seeks employment as a farm laborer in America. Farming in Europe and farming in America are two separate and distinct propositions; in this country farming is done with modern machinery, in continental Europe the work is done by hand, and the European farm laborer is little better equipped to operate the machinery on an American farm than is a section hand to drive a locomotive. The facts are that the immigrant who was a farm laborer in his own country seeks employment in America in the unskilled trades. He becomes a mill hand, a factory worker, an excavator, a section hand, and in large numbers become mine workers. It is only necessary to visit the mining districts of the Eastern and Central Western States, the mill towns, and the centers of the textile industry to find these erstwhile European farm laborers. They have been colonized, and because of the large numbers who are congregated together the opportunity for or the possibility of their assimilation is greatly minimized. The temptation to establish and perpetuate the customs and standards of their own countries, instead of adopting the standards of our country, is so great that if the system of colonization continues it will take several generations to amalgamate these races and blend them into an American people. This condition is not best for them; neither is it good for us; it is simply the result of an unregulated immigration and an unwise distribution of aliens.

While wage earners will undoubtedly indorse the principle laid down by the Commissioner of Immigration at the port of New York, the enforcement of that policy should not be discretionary with him. If we are going to regulate immigration at all, we should prescribe by law definite conditions, the application of which would result in securing only those immigrants whose standards and ideals compare favorably with our own. To that end wage earners believe—

1. That, in addition to the restrictions imposed by the laws at present in force, the head tax of \$4 now collected should be increased to \$10.
2. That each immigrant, unless he be a political refugee, should bring with him not less than \$25, in addition to the amount required to pay transportation to the point where he expects to find employment.
3. That immigrants between the ages of 14 and 50 years should be able to read a section of the Constitution of the United States, either in our language, in their own language, or in the language of the country from which they come.

While the writer holds no commission that gives him authority to speak in the name of the American wage earners, he believes that he interprets correctly in this article their general sentiment upon the subject of immigration.

Some gentlemen, drawing strongly upon their imaginations, compare those who favor this legislation with the Chinese who threaten to kill foreigners in their country. I desire to say to them that the strongest forces opposing this legislation desire to have these poor, ignorant foreigners come here that they may exploit them for profit by working them under conditions

which should bring the blush of shame to the faces of all public-spirited citizens. Not only do they want them because they will work cheaper but because it is cheaper to cripple and maim them than it is an American or an Americanized workman.

Those who are opposing this bill have admitted that a large percentage of the foreigners are being induced to come to this country by the steamship companies, the great railway companies, and the large employers of labor, who find profit in the business. Thousands of immigration agents are employed by these large concerns and industries, and operate in the countries of southern and eastern Europe and western Asia, and are largely instrumental in causing a large part of the immigration which comes to our shores. The Immigration Commission, in its report and speaking of the causes of immigration to the United States, uses this language:

A large number of immigrants are induced to come by quasi labor agents in this country, who combine the business of supplying laborers to large employers and contractors with the so-called immigrant banking business and the selling of steamship tickets. * * * Another important agency in promoting immigration from Europe to the United States is the many thousands of steamship ticket agents and subagents operating in the immigrant-furnishing districts of southern and eastern Europe. Under the terms of the United States immigration law, as well as the laws of most European countries, the promotion of immigration is forbidden, but nevertheless the steamship-agency propaganda flourishes everywhere.

The commissioner general, in his annual report for June 30, 1911, speaks as follows:

Much of the immigration which we now receive is artificial, in that it is induced or stimulated and encouraged by persons and corporations whose principal interest is to increase the steerage-passenger business of their lines, to introduce into the United States an overabundant and therefore cheap supply of common labor, or to exploit the poor, ignorant immigrant to their own advantage by loaning them money at a usurious rate.

The transportation companies, the mining companies, the steel company, the packing houses, and other large corporations are opposed to this legislation, because they want cheap labor. They are opposed to the literacy test, because they want ignorant labor. They want to get the people that are uneducated, because they are more easily controlled and are more helpless under their process of exploitation. Labor organizations have found this to be true, that the industries here want cheap labor, and that they go to Europe to get it. They went into all the countries where it could be found and brought it over here and used it to beat down existing conditions, particularly in the Steel Trust. Where years ago their employees were composed of English-speaking people, to-day over 90 per cent of the employees of the Steel Trust are foreigners.

It is not a fair comparison to compare the immigrants of to-day with our forefathers, who came here years ago, because conditions are vastly different. Nothing is more significant in the history of immigration to America than the change in the character of the stream of humanity coming to our shores. The old immigration differed from the new in many essentials. The chief motive of the old immigrant in coming to America was to escape religious and political persecution, to acquire homes here, and establish their posterity upon the land. The old immigration in the main represented a sturdy, intelligent, lofty-minded, and high-spirited citizenship, who would not submit to the tyranny of their native countries, and therefore fled here and cast their lives and fortunes with us. They entered almost every line of activity, many of them going on the farms, and were quickly assimilated. The new immigration, on the other hand, is actuated by no such ideals and inspired by no such motives as those which inspired the old. The bulk of the new immigrants have not sought homes here, have not assimilated well, if at all, with our people and institutions, but the tendency has been to settle in colonies in the industrial centers of our country, separate and apart from American citizens, and virtually establish, while here, foreign customs and conditions on American soil. The reasons for the new immigrant coming here are largely economic. Being induced by the highly colored pictures of prosperity in this country, as portrayed by the agents of the big business interests at work in all parts of Europe, they have sought to take advantage of the high-priced wage in this country, to make a competence, and then return to their former homes. The old immigration, as I have said, sought homes in America; the new seeks jobs; the old expected to remain, but the new expect to return.

One of the most pitiful things about the present-day immigrant is that he usually comes from the village, where he worked on the farm and in the vineyard, and upon landing in a big city in this country he is immediately beset by those who would exploit him. He is hurried off to some industrial center and is obliged to live in places scarcely fit for human habitation. The work he finds is usually filthy or dangerous, and the annual toll taken from these poor immigrants is appalling.

Organized labor desires this legislation to protect the foreigner who is being brought here under these conditions, as well as protect those who have come here before them. Surely you can not charge the mine workers' organization, that represents such a large number of foreigners, with being unfriendly to the foreigner. The workers, foreign born as well as American, have come to realize that the industrial condition of the country demands a restriction of immigration, and they have voiced their approval of this bill through their local and international unions by passing resolutions such as I have mentioned. It is also to prevent conditions such as have existed and do exist at the present time in Colorado and Michigan that this law is desired. In the strikes that have been going on in these States the corporations are using foreigners fresh from the old country to take the places of foreigners who have been here for a number of years, but who are now endeavoring to free themselves from the shackles of industrial slavery by organization. If this legislation had become a law last Congress it is very probable that they would not have been able to get a ready supply of these foreigners, and a great deal of this trouble might have been avoided.

I consider the solution of the immigration question one of the most difficult problems confronting Congress to-day, and one that is worthy of the best efforts of the best men of the country. I do not want to restrict immigration because I dislike the foreigner. I have given the best years of my life trying to uplift the wage workers of all nationalities. I believe that those who have studied this question ought to know best what is needed, either through giving it special attention and study or through their association with other organizations, and thereby know what it means to have a steady flow of immigration to this country. The Immigration Commission spent four years studying this question and have made an exhaustive report of 41 volumes. They ought to know something about what immigration legislation is needed for the best interest of the people of this country and have made several recommendations, which are now embodied in this bill, one of which is the literacy test. This provision, which is a very moderate one, provides that immigrants over 16 years of age shall be able to read 40 words in their own or any other language. At this age, when educational facilities are so great in all countries, this certainly is no unreasonable requirement; and if this measure becomes a law, when our foreign Americans become familiar with it, there will be little, if any, complaint in regard to its effect. In fact, I am certain that the great majority of the working people in this country will approve of it. I believe that this bill will adjust the immigration question as equitably as possible under present conditions and that its enactment into law will prove of great benefit to the progress and prosperity of the country.

Mr. SUMNERS. Mr. Speaker, it has been suggested, and properly so, that this amendment violates the spirit of neutrality in so far as our relations with the belligerent countries are concerned; and I want to call the attention of the House to the fact that it also violates the spirit of neutrality in so far as the obligation of this Congress to the various vocations of the American Nation are concerned. You propose to waive the illiteracy test, the provisions of the contract-labor law, to let down the bars, and send to Europe men who have colonization schemes to bring emigrants from Belgium to compete with the American farmer, and with him alone, and you know it; and you get up here in the House and talk about your love for old Rube back there when you want his vote. We hear much about wanting people from the cities to go to the country—back to the country. Do you not know that in all of the ages of the world men have moved under the operations of an irresistible economic law toward the centers of greatest opportunity and that that law will continue to control until the end of time? If you want the men from the city to go back to the country, make it possible for the men in the city to go to the country and earn more money there than they can in the city; and when you make that possible you will make it impossible to keep your cities congested and your farms idle and vacant. I say to you that the time has come when this country must cease to think in terms of the great industries. The time has come when we must recognize that that nation is stronger, other things being equal, the largest proportion of whose people pursue the productive vocations of the country. The time has come in this country when we must recognize that in the great crises of the ages, when civilizations have been put to the supreme test, it has been the conservative strength of the country that has held us true to our best ideals.

If that is so, then I ask the question, and I submit it to the judgment of this House. Why do you propose to drive the American farmer from his farm by bringing aliens from the war-stricken area? Why do you propose to do it? You will

have to face this vote, which is a bid for competition only against the American farmer, and you ought to have to face it when you go back to your constituents. I know where this thing came from. It did not come from the men who want to bring those poor Belgians here and give to them the blessings of American liberty, but it came from the sources that want to bring these poor people here to work for us. That is the truth about it, and every man on this floor knows it. They want to bring them here so that they can beat down the American farmer, and go out and buy up cheap land and sell it for far more money than they could otherwise get for it. Shall we forget that the greatest heritage one generation can leave to another is the ability to procure a cheap home? In our greed and mad haste we bid for the population of every corner of the earth to come here and take our lands from the sons and the daughters of the poor people who hope to see the day when their boys and girls can live in a home of their own. [Applause.]

I hope, gentlemen, that we will recognize two things when we come to vote here. There are two things involved here, and I challenge any man to deny it: Neutrality as between the belligerent nations, and the proposition of neutrality as on the part of this Government between the great vocations of the American Republic. Who on this floor can deny that?

Mr. YOUNG of North Dakota. Mr. Speaker, will the gentleman yield?

Mr. SUMNERS. Yes.

Mr. YOUNG of North Dakota. Does the gentleman know of any farmer in the United States who has objected to any of these Belgians coming here?

Mr. SUMNERS. Oh, no; I do not know; the farmer trusts the American Congress to give him a square deal, and it is up to us to do it.

Mr. YOUNG of North Dakota. Is the gentleman sure the gentleman is speaking in the interest of the American farmer now?

Mr. SUMNERS. Of course I know it. Do you believe for a moment that you can bring immigrants here and put them on farms without coming in competition with the American farmer?

The SPEAKER. The time of the gentleman has expired.

Mr. BURNETT. Mr. Speaker, I yield three minutes to the gentleman from Missouri [Mr. BORLAND].

Mr. BORLAND. Mr. Speaker, if this provision goes back to conference by a disagreement, as it seems inevitably it will, I trust there is one portion of the Senate amendment that the conferees on the part of the House will insist upon, and that is to retain the language of the House in which it says:

Provided further, That nothing in this act shall exclude the wife or minor children of a citizen of the United States.

It does seem to me if even this illiteracy test does keep out undesirables—and I do not believe it does; I believe every criminal and every scoundrel and white slaver can pass the illiteracy test—but if it does keep out undesirables, those are certainly not the wife and minor children of a citizen of the United States. When we have allowed a man to walk up before a court of justice in this country, raise his hand, and swear to support the Constitution of the United States, he makes this country his home and this flag his flag, and his wife and his children are under the same flag whether they can read or write or not. I can not see any justice in having a man keep a family in Europe perpetually excluded from coming into this country because of some literacy test which we have to keep out a certain number of undesirables. He has the right, if he is an American citizen, to bring in his wife and family, and I can not see any reason why those should be excluded, and I trust our conferees, when they come to this item, will not agree to the Senate amendment and exclude that language. [Cries of "Vote!"]

The SPEAKER. The question is on the motion of the gentleman from Indiana [Mr. CULLOP].

Mr. YOUNG of North Dakota. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman rise?

Mr. YOUNG of North Dakota. I would like to get recognition for a few minutes.

The SPEAKER. The gentleman from Alabama has control of the time.

Mr. BURNETT. I will yield three minutes to the gentleman, then, and give notice after that I shall move the previous question.

Mr. YOUNG of North Dakota. Mr. Speaker, the gentleman who spoke a few minutes ago [Mr. SUMNERS] suggested that the farmers ought to be placed on a par with those who live in the cities, and on this very question of farm labor I want to call his attention to the fact that the bill as it now reads pro-

vides "that the provisions of this law applicable to contract labor shall not be held to exclude—among others—persons employed strictly as personal or domestic servants," and I would like to ask him and all the gentlemen of this House whether it is fair to permit people who live in the cities to import butlers and servants without regard to the contract-labor provisions of this law and deny the same privilege to farmers to obtain help on their farms?

Mr. CRAMTON. Will the gentleman yield?

Mr. YOUNG of North Dakota. I do.

Mr. CRAMTON. Is it not a fact that the farmers in large sections of the country have only been able to build up such industries as the sugar-beet industry by reason of Belgian and similar labor?

Mr. YOUNG of North Dakota. I would not be surprised if that were the case.

Mr. CRAMTON. Such at least has been the case in Michigan.

Mr. BUCHANAN of Illinois. Will the gentleman yield?

Mr. YOUNG of North Dakota. Certainly.

Mr. BUCHANAN of Illinois. Does not the gentleman know the farmers' organizations have indorsed this bill and are in favor of it?

Mr. YOUNG of North Dakota. That provision was not in the bill at the time they recommended it, and I want to call attention to the fact—

Mr. SABATH. Those are not real farmers; those are professional farmers.

Mr. YOUNG of North Dakota (continuing). That under the present law and under the present operation of the law only two immigrants out of every hundred that enter the ports of the United States reach the farms, whereas the farmers constitute one-third of the population; or, in other words, 2 per cent of the immigration, whereas the farmers constitute 33 per cent of the population of the country.

When the immigration bill was under discussion last February I proposed an amendment which would operate as to all foreign countries alike and which would not be giving any unfair advantage to the farmers, for the reason, as I have stated, that they are now not getting their fair share of the immigration. The amendment proposed by me at that time added to the classes which might be solicited to come or given assistance to come to this country, subject, of course, to all other provisions of the immigration law:

Farm laborers if employed in good faith by farmers.

At the time of offering this amendment I called attention to the predicament of one of our farmers who had been arrested because he had employed some laborers at a neighboring town, which happened to be on the Canadian side. He would be languishing in prison now had it not been for the humane action of Judge Amidon, a jurist of great learning, culture, experience, and wisdom.

I call your attention specially to the fact that our farmers are now in direct competition with the farmers of Canada and other countries. The Canadian farmers are permitted by law to solicit farm laborers in other countries and pay for their transportation to Canada, and in that way employ strong young men, who become the very best kind of help on the farm, who are anxious to work there, and who will remain by the year if desired. My contention is, Mr. Speaker, that our farmers, having been placed in direct competition with the farmers of other countries, should have the same privilege to employ labor as Canadian farmers or the farmers of other countries. And I contend also that it is unfair discrimination to permit the residents of cities to bring in without any restraint butlers and servants and deny to the farmers the privilege of bringing in farm helpers.

This proposed amendment respecting the admission of Belgians does not go as far as I would have it. It should include all the countries, but as my good German friend, the distinguished Representative from Missouri [Mr. BARTHOLDT] is favorable to the amendment in its present form, and as it seems to be the best attainable at this time, I shall vote in favor of it. [Applause.]

Mr. Speaker, I desire to have printed in the RECORD two clippings from newspapers. The Washington Post said in a recent editorial:

FINDING MORE FARM LABOR.

Congress might consider with advantage the liberalization of the immigration laws so far as agricultural laborers are concerned, and thus facilitate the entry of able-bodied Belgians and other refugees from Europe, who sooner or later are likely to be forced to emigrate.

The Burnett bill amending the immigration laws has passed the House and is pending in the Senate. It may not be reached at the forthcoming short session, but if it should be taken up it is presumed that an effort will be made to admit agricultural laborers more freely,

under such safeguards as to prevent violations of the contract-labor law.

When the bill was under discussion in the House Mr. YOUNG of North Dakota offered an amendment including agricultural laborers in the class exempt from the operation of the contract-labor law.

Canadian farmers are able to send to the old country and obtain help. American farmers can not do so. If the law could be so framed as to permit of the immigration of able-bodied agricultural laborers destined for specified places in this country, the labor situation on the farms would be greatly relieved and the country at large would be greatly benefited. There is nothing immoral in assisting an agricultural immigrant to come to this country, if it is made certain that he will go to the farm where he is wanted and will not become a public charge.

Large tracts of vacant land in the United States would eventually be utilized as farms by immigrants if they could first get a start. The Belgian farmers are hard-working, thrifty people, who would be most desirable additions to the rural population of the United States. A statesmanlike amendment of the immigration laws would do the double service of helping the farm-labor situation in this country and aiding worthy immigrants to find a home.

The Greater Iowa Association concludes a statement upon this subject as follows:

God's most precious gifts are not in things but in opportunities, and we look upon this as an opportunity, not only for the Belgians but for Iowa. If other States will do as well, the Belgian problem is solved, and within 10 years Iowa farm land will be selling for \$500 an acre instead of \$200, as at present. Will you cooperate with us?

Mr. BURNETT. Mr. Speaker, I yield one minute to the gentleman from Missouri [Mr. GILL].

Mr. GILL. Mr. Speaker and gentlemen of this House, I want to say that I am personally acquainted with the characteristics of the Belgians. I am a glassworker myself, having worked at that business for over 35 years. I want to say to you, in opposition to what has been said by the gentleman from Texas concerning the Belgians, that I know the Belgians are not a class of people who will attempt to or will reduce the standard of living or the standard of the American home if they come to this country. They are the artists of the glass industry of this country. They are the people who taught the American people the glass industry. It has been contended that their wage is about one-fourth that of the American. Let me say to you that is not altogether true. They do not make as much money in Belgium as we Americans do here. The Belgians in their country do not make as much money as the glassworkers of America do for this reason, and for this reason only, because the American workman alongside of the Belgian produces about three times as much ware; and the American will go to his grave almost twice as quick as the Belgian.

The SPEAKER. The time of the gentleman has expired.

Mr. BURNETT. Mr. Speaker, I move the previous question on the Cullop amendment.

The question was taken, and the previous question was ordered.

The SPEAKER. The question is on the amendment of the gentleman from Indiana to concur with an amendment.

The question was taken, and the amendment was rejected.

Mr. TOWNER. Mr. Speaker, I desire to make a motion to concur with an amendment.

The SPEAKER. The Clerk will report the amendment.

Mr. BURNETT. Mr. Speaker, I understand there is half an hour left of the hour for discussion.

The SPEAKER. Twenty-six minutes.

Mr. BURNETT. Mr. Speaker, I now move the previous question on the paragraph.

The SPEAKER. The gentleman from Iowa [Mr. TOWNER] has sent up an amendment.

Mr. TOWNER. I would like to have five minutes.

Mr. STAFFORD. Mr. Speaker, I would like to have a few minutes.

Mr. BURNETT. How much time?

Mr. STAFFORD. About four minutes.

The SPEAKER. The Clerk will report the motion of the gentleman.

Mr. COOPER. Mr. Speaker, I am opposed to this Belgian amendment and I would like two minutes.

Mr. BURNETT. The House is clamoring, as you will see, for a vote.

Mr. COOPER. I am opposed to the amendment.

Mr. BURNETT. Would the gentleman like three minutes?

Mr. COOPER. Two or three; yes.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 12, line 16, after the word "guests," reinsert the following: "Provided further, That nothing in this act shall exclude the wife or minor children of a citizen of the United States"; and also strike out, on page 12, line 21, the words "from Belgium."

And, on page 12, line 26, strike out the word "Belgian."

Mr. TOWNER. Mr. Speaker, just a word by way of explanation of this motion to concur in this amendment. I think there is no one in the House that desires to strike out the language which the Senate struck out and which would exclude the wife

or minor children of a resident of the United States. For that reason I have made the motion to concur, so that the language will be reinserted. I have also, Mr. Speaker, moved to strike out from this amendment of the Senate the words "from Belgium" wherever they occur. There are two reasons that, in my judgment, ought to induce us to adopt this provision as amended, if it is adopted at all. In the first place, as has been so well suggested, if this right or this exception to the rule that is made by the bill is granted only to the Belgian people, it will be a violation not only of the spirit of neutrality but an act that could be considered as unfriendly by any other nation now engaged in this war. More than that, Mr. Speaker, in my judgment, it will be a violation of existing treaties that this country has with foreign powers which contain the most-favored-nation clause.

I am opposed to this bill, and if I were dishonest enough to advocate the insertion of this amendment for the purpose of killing this bill, I am sure it would be effective, for I am quite sure that if the House and Senate both should pass it with such provision in it it would necessarily be vetoed by the President. But I think we ought to act, if we act at all, with regard to this matter as sensible men. Now, if under any circumstances—and I believe under all circumstances—this literacy test should not be applied to the people of foreign countries coming here as an exclusionary test, it certainly should not be applied to agricultural laborers.

The gentleman from Texas [Mr. SUMNERS] said that it would be an injury to the farmers. So far, Mr. Speaker, from that being true, farmers are being driven from their farms to-day, and we have a tenant class being established, because of the fact that the farmers who own their farms and would like to remain upon them and farm them themselves can not hire the necessary labor with which to carry them on. And if any laborer is to come into this country without that exclusionary test, it should be the agricultural laborer. Gentlemen who stand in favor of the unions and who believe that the coming of laboring people injure them—I do not believe it, but there are gentlemen who do believe it—could not certainly under any circumstances object to the application or, rather, the removal of this test from the agricultural laborer, for the reason that they can not under any circumstances belong to unions, and therefore can not injuriously affect any unions. I confess, Mr. Speaker, that I hope this whole matter will go out. I wish we could exclude the literacy test entirely from this bill. I should be glad then to support the bill and to assist in making it what it should be. I agree with those gentlemen who have said that it ought not to be in this bill under any circumstances. And I am in favor of removing it in so far as it is within our power to do so. I believe it is illogical; I believe it is unjust. I believe it will not work any good to any legitimate industry or interest in this country. I believe its only effect will be harmful and finally that we will be guilty of a wrong and an injustice in doing something that is not in accord with the spirit of our free American institutions. [Applause.]

The SPEAKER. The gentleman from Wisconsin [Mr. COOPER] is recognized for three minutes.

Mr. COOPER. Mr. Speaker, I have asked for a moment in which to give my reasons for opposing the proviso beginning on line 18, page 12.

I, of course, assume that this proviso was inserted in the bill by the Senate out of sympathy for the Belgians because their country has been devastated. But Poland and Galicia have been devastated, towns and cities burned, whole territories laid waste. So with a large portion of Serbia. We are a neutral Nation. We must not forget our duty to maintain a strict neutrality during the terrific conflict in Europe. And would it be entirely neutral, would it be right for our Government to say, "You Belgians whose homes have been burned can come to the United States; but you Poles, you Servians, you Galicians whose homes have been burned, whose kindred have been slaughtered, you can not come; we welcome only Belgian sufferers; we are neutral in the United States"? [Applause.]

Mr. BURNETT. Mr. Speaker, I yield four minutes to the gentleman from Wisconsin [Mr. STAFFORD].

The SPEAKER. The gentleman from Wisconsin [Mr. STAFFORD] is recognized for four minutes.

Mr. STAFFORD. Mr. Speaker, the amendment under consideration removes all doubt as to neutrality, because it lifts the limitation applicable to Belgium alone and applies it to all who come to these shores, during the European contest, for the purpose of carrying on agricultural pursuits.

I challenge anyone who is in favor of the un-American policy of restrictive legislation based upon an artificial literacy test to show where there is any farmer's organization that is opposed to immigrants coming to these shores to help farmers

build up and work their farms. I have some acquaintance with agricultural conditions in this country, particularly in my own State, and I know that the reason why farmers are obliged to forsake their farms and go to the villages and cities to live is that they have not been able to get farm laborers. The whole history of the Northwest proves that it is a lie to say that an ignorant immigrant, if he has the ability and the muscle and the energy to work, is not a worthy immigrant to these shores. Your whole argument is fallacious when you say that a worthy, able-bodied immigrant who comes to these shores and tills the land is a detriment to the country and impoverishes the soil. Labor produces wealth and does not impoverish it. We need these laborers, no matter in what capacity they are employed; but most emphatically do we need these foreign laborers particularly on our farms.

We say by this amendment, "Open the doors; let the American policy continue, at least during this period of European war," so that we shall be able to continue to feed not only Belgium—suffering Belgium—but all the countries that are now at war, which will not be able to recover from this holocaust for 5, 10, 15, or 25 years after the war is over.

Mr. SLAYDEN. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Wisconsin yield to the gentleman from Texas?

Mr. STAFFORD. Yes; I yield to the gentleman.

Mr. SLAYDEN. Does not the gentleman think the farmers of this country are capable of passing on their own desires?

Mr. STAFFORD. I am stating that there are no farmers in my State who are advocating any such narrow policy which says they do not want labor to cultivate the soil. That is the great crying necessity of farmers in Wisconsin and farmers in the Northwest generally.

Mr. SLAYDEN. The gentleman is not now making the same statement that he made a while ago. He challenged the accuracy of my statement that the farmers wanted to restrict immigration.

Mr. STAFFORD. I say that farmers generally are not in favor of restricting able-bodied immigrants coming to this country, as they will assist them in their farm work and the development of the country.

The SPEAKER. The time of the gentleman from Wisconsin has expired.

Mr. BURNETT. Mr. Speaker, I desire to say that if the Grange and the national farmers' organizations in the North are farmers, then the gentleman's statement is fallacious.

Now I yield two minutes to the gentleman from Illinois [Mr. SABATH].

The SPEAKER. The gentleman from Illinois [Mr. SABATH] is recognized for two minutes.

Mr. SABATH. Mr. Speaker, being opposed to discrimination, I am opposed to these two Senate amendments in one. The first part of the amendment strikes out the House provision, to wit:

Provided further, That nothing in this act shall exclude the wife or minor children of a citizen of the United States—

A provision which I had succeeded, after a great effort, in having incorporated in the bill, and adds in the second part the following provision:

Provided further, That the provisions of this act relating to the illiteracy test or induced or assisted immigration shall not apply to agricultural immigrants from Belgium who come to the United States during the course of the present European war, or within one year after its termination owing to circumstances or conditions arising from the war, if it is shown to the satisfaction of the Commissioner General of Immigration that said Belgian immigrants come with intent to engage in the work of agriculture in the United States and become American citizens.

I agree with the amendment offered by the gentleman from Iowa and, in fact, was contemplating offering it myself. I believe it is a fair amendment and will cure the mistake made by the Senate. If this amendment should be adopted it will make the proviso read as follows:

Provided further, That the provisions of this act relating to the illiteracy test or induced or assisted immigration shall not apply to agricultural immigrants who come to the United States during the course of the present European war, or within one year after its termination owing to circumstances or conditions arising from the war, if it is shown to the satisfaction of the Commissioner General of Immigration that said immigrants come with intent to engage in the work of agriculture in the United States and become American citizens.

Mr. Speaker, why should this provision not be extended to all the people who are suffering, due to the unfortunate war in Europe? Is it the Belgians alone who are suffering? Does not the same apply with equal force to the Polish, the Jewish, the German, the Serbian people? Are not their lands devastated and their homes destroyed? In fact, these people are in a more unfortunate position than the Belgian people, who at least are fighting because they believe they are right, because they wished to preserve the honor and integrity of their country. Nearly a million

Polish and Jewish soldiers alone are compelled to take up arms and fight against each other and against their own people merely because they happened to be residents of different countries, allied on different sides of the controversy. You will find Poles in the German Army, the Austrian Army, and you will find them in the Russian Army. Are they fighting for their country? No. They are fighting because they happened to be subjects of different countries, the power-mad rulers of which must fly at each other's throats in an insane attempt to wrest more power, more glory, and more domain. The same applies to the Jews. Are they fighting for their nation? No; they are not. Notwithstanding this, they are fighting for the country in which they live, it matters not how much that country may have discriminated against them. They are fighting under the flag which is supposed to give them protection. They are fighting under the flags of Germany, England, France, Russia, and Austria. Are not they entitled to some compassion? Are not the thousands upon thousands of German people, who were not consulted when war was declared, entitled to some consideration? They are not responsible for this war and the terrible conditions which it has brought about. Are they not entitled to our sympathy? All that applies to them applies to the Servians.

Is it the people of these countries who are responsible, or is it the aristocracy, drunk with power, who have brought about the frightful slaughter? Let us think, let us be reasonable, and do not let us act hastily.

To my mind, it would be manifestly unfair that we should favor the people of one nation to the exclusion of the rest. We should extend to them every possible aid. If you desire to aid the cause of humanity, if you desire to extend a helping hand, then extend it to all. Then, and not until then, will you be able to say that you have done what is right, what is just, and what the dictates of humanity demand.

I hope that everyone who loves fair play will vote for the amendment offered by the gentleman from Iowa. [Applause and cries of "Vote!"]

Mr. BURNETT. Mr. Speaker, I yield one minute to the gentleman from Texas [Mr. SLAYDEN].

Mr. SLAYDEN. Mr. Speaker, I take the floor simply to say to the gentleman from Wisconsin—to my agricultural friend from Wisconsin [Mr. STAFFORD]—that apparently he knows nothing of the sentiment of the farmers. The farmers' associations in that part of the country from which I come are made up of farmers, and even if those associations had not spoken on the subject in a voice that is unmistakable, I know from personal experience and personal contact with farmers in the State of Texas that I voice their sentiments here in my position on this bill, and that the gentleman from Wisconsin is absolutely and radically wrong in what he says about them. [Applause.]

Mr. BURNETT. Mr. Speaker, I move the previous question on the Towner amendment.

The SPEAKER. The gentleman moves the previous question on the Towner amendment.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the Towner amendment.

Mr. MANN. Mr. Speaker, a parliamentary inquiry. Just what is the proposition?

The SPEAKER. The proposition is to put back that clause that was stricken out, about the wives and children of American citizens, and to strike out the word "Belgian."

The question being taken, on a division (demanded by Mr. BURNETT) there were—ayes 77, noes 110.

Accordingly the amendment of Mr. TOWNER was rejected.

Mr. BURNETT. Mr. Speaker, I move to disagree to Senate amendment No. 24, and upon that I move the previous question.

The SPEAKER. The gentleman from Alabama moves to disagree to Senate amendment No. 24, and on that he moves the previous question.

Mr. GALLAGHER. I move to concur in the Senate amendment with an amendment.

Mr. HAY. I demand the regular order.

The SPEAKER. The gentleman will send up his amendment.

Mr. BURNETT. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BURNETT. I have moved the previous question on disagreeing to the Senate amendment. Is any amendment now in order?

The SPEAKER. The gentleman can not cut off a motion of higher privilege.

Mr. MANN. My colleague's motion has priority.

The SPEAKER. The Chair does not know what is in the amendment, and will pass on it when it is read.

Mr. GALLAGHER. I will state it. On page 12, line 21, after the word "Belgium," I move to insert the word "Poland," and in line 26, after the word "Belgian," I move to insert the word "Polish."

The SPEAKER. The word "and" ought to be inserted in each case.

Mr. GALLAGHER. Yes; I include that in my amendment.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 12, line 21, by inserting after the word "Belgium," the words "and Poland," and in line 26, after the word "Belgian," insert the words "and Polish."

Mr. BURNETT. Mr. Speaker, I demand the previous question on that amendment and on all amendments to the Senate amendment.

Mr. GALLAGHER. Mr. Speaker, I should like a minute.

The SPEAKER. The gentleman from Alabama moves the previous question on the Gallagher amendment—

Mr. BURNETT. And also on the motion to disagree to the Senate amendment.

The SPEAKER. And also on the motion to disagree to the Senate amendment.

The previous question was ordered.

Mr. MANN. I ask unanimous consent that my colleague [Mr. GALLAGHER] may have—

Mr. GALLAGHER. I want only a minute.

Mr. BURNETT. I agree to that, Mr. Speaker.

The SPEAKER. The gentleman from Illinois asks for one minute. Is there objection?

There was no objection.

Mr. GALLAGHER. Mr. Speaker, I only want to call the attention of the House to the fact that when the Senate adopted the amendment extending the proposed exemption to the Belgians they took into consideration the conditions prevailing in that country. Similar conditions prevail at the present time in Poland, and if this exemption is applied to Belgium, for reasons equally cogent it should be extended to Poland. That is all I want to say, and I ask for a vote on the amendment.

The SPEAKER. The question is on the Gallagher amendment.

The amendment was rejected.

The SPEAKER. The question is on the motion of the gentleman from Alabama to disagree to Senate amendment 24.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 54. Page 30, line 16, after the word "labor," insert "all aliens arriving at ports of the United States shall be examined by two such medical officers."

Mr. BURNETT. Mr. Speaker, I move to disagree to the Senate amendment.

Mr. BROWN of New York. Mr. Speaker, I move to concur in the Senate amendment.

The SPEAKER. The question is on the motion of the gentleman from New York to concur in the Senate amendment.

The question was taken, and the motion was rejected.

The SPEAKER. The Clerk will read amendment 57.

The Clerk read as follows:

Page 31, line 5, after the word "inquiry," insert "all aliens arriving at ports of the United States shall be examined by at least two immigrant inspectors."

Mr. BURNETT. Mr. Speaker, I move to disagree to the Senate amendment, and I yield three minutes to the gentleman from Missouri [Mr. BOOHER].

Mr. BOOHER. Mr. Speaker, this morning I reserved a separate vote on Senate amendments 54 and 57, for the reason that I desired to call the attention of the chairman of the committee to the fact that amendment 57 requires two inspectors, and two medical examiners under amendment 54. Under the law as it now stands one physician makes the examination and one inspector makes the examination. These provisions require two in each place. There is no provision in this bill anywhere to dispose of a disagreement. If, for instance, the two physicians should disagree, there is no way of settling that disagreement. If the two inspectors should disagree in their decision, there is no machinery pointed out in these two sections to settle that dispute. All I desire is to call the attention of the conferees to that fact, so that if the amendments remain in the bill the proper provisions may be put in to take care of any disagreements that may arise.

The SPEAKER. The question is on the motion of the gentleman from Alabama to disagree to the Senate amendment.

The question was taken, and the motion was agreed to.

The SPEAKER. That disposes of all the amendments upon which a separate vote is demanded.

Mr. BURNETT. Mr. Speaker, I move that the House ask for a conference.

The motion was agreed to.

The SPEAKER appointed as conferees on the part of the House Mr. BURNETT, Mr. SABATH, and Mr. GARDNER.

ENROLLED BILL PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. ASHBROOK, from the Committee on Enrolled Bills reported that this day they had presented to the President of the United States, for his approval, the following bill:

H. R. 13698. An act for the relief of Charles A. Coulson.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. GOLDFOGLE, indefinitely, on account of illness.

To Mr. HOUSTON, indefinitely, on account of personal illness.

To Mr. PETERS, for 10 days, on account of illness.

To Mr. GARD, for the day, on account of illness in his family.

HOURLY MEETING TO-MORROW.

Mr. STEPHENS of Texas. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow morning.

The SPEAKER. The gentleman from Texas asks unanimous consent that when the House adjourns to-day it adjourn to meet to-morrow at 11 o'clock. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. STEPHENS of Texas. Mr. Speaker, owing to the fact that we have been in session for some time to-day, and the lateness of the hour, I think it unwise to proceed with the Indian appropriation bill, and I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 53 minutes p. m.) the House, under its previous order, adjourned until to-morrow, Friday, January 8, 1915, at 11 o'clock a. m.

EXECUTIVE COMMUNICATION.

Under clause 2 of Rule XXIV, a letter from the Secretary of the Treasury, transmitting copy of a communication of the Secretary of the Interior submitting copy of a report upon a proposed plan for the protection of lands and property in the Imperial Valley, Cal., against overflows of the Colorado River (H. Doc. No. 1476), was taken from the Speaker's table, referred to the Committee on Appropriations, and ordered to be printed, with illustrations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. HARDY, from the Committee on the Merchant Marine and Fisheries, to which was referred the bill (S. 2335) to provide for the register and enrollment of vessels built in foreign countries when such vessels have been wrecked on the coasts of the United States or her possessions or adjacent waters and salvaged by American citizens and repaired in American shipyards, reported the same without amendment, accompanied by a report (No. 1264), which said bill and report were referred to the House Calendar.

Mr. THOMSON of Illinois, from the Committee on the Public Lands, to which was referred the bill (S. 5629) for the relief of certain persons who made entry under the provisions of section 6, act of May 29, 1908, reported the same with amendment, accompanied by a report (No. 1265), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. TAYLOR of Arkansas, from the Committee on the Public Lands, to which was referred the bill (H. R. 17842) for the relief of George Richardson, reported the same without amendment, accompanied by a report (No. 1262), which said bill and report were referred to the Private Calendar.

Mr. HARRIS, from the Committee on Pensions, to which was referred the bill (H. R. 20643) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, re-

ported the same without amendment, accompanied by a report (No. 1263), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. CRAMTON: A bill (H. R. 20642) to amend an act entitled "An act to increase the pensions of widows, minor children, etc., of deceased soldiers and sailors of the late Civil War, the War with Mexico, the various Indian wars, etc., and to grant a pension to certain widows of the deceased soldiers and sailors of the late Civil War," approved April 19, 1908; to the Committee on Invalid Pensions.

By Mr. FITZGERALD: A bill (H. R. 20644) to amend the postal laws; to the Committee on the Post Office and Post Roads.

By Mr. BUCHANAN of Illinois: A bill (H. R. 20645) providing for the sale of the United States unused barge office in Chicago, Ill.; to the Committee on Public Buildings and Grounds.

By Mr. MANN: Resolution (H. Res. 699) directing the Committee on Ways and Means to report a bill creating a tariff board; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. HARRIS: A bill (H. R. 20643) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors; to the Committee of the Whole House.

By Mr. ANSBERRY: A bill (H. R. 20647) granting an increase of pension to Margaret I. Reider; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20648) granting an increase of pension to Oliver P. Smith; to the Committee on Invalid Pensions.

By Mr. AUSTIN: A bill (H. R. 20649) to authorize the Court of Claims to hear, consider, and adjudicate the claim of heirs of Andrew R. Humes; to the Committee on War Claims.

By Mr. BARKLEY: A bill (H. R. 20650) to remove the charge of desertion from the name of Lee Thompson; to the Committee on Military Affairs.

By Mr. BARTLETT: A bill (H. R. 20651) to donate certain condemned cannon to the Gordon Institute, of Barnesville, Ga.; to the Committee on Military Affairs.

By Mr. BOOHER: A bill (H. R. 20652) granting an increase of pension to Deborah Hart; to the Committee on Invalid Pensions.

By Mr. BUCHANAN of Illinois: A bill (H. R. 20653) granting an increase of pension to Robert R. Raap; to the Committee on Invalid Pensions.

By Mr. CARAWAY: A bill (H. R. 20654) granting a pension to Jesse T. Kellett; to the Committee on Invalid Pensions.

By Mr. CONNELLY of Kansas: A bill (H. R. 20655) granting an increase of pension to Albert W. Utter; to the Committee on Invalid Pensions.

By Mr. DALE: A bill (H. R. 20656) granting an increase of pension to John J. Gorman; to the Committee on Pensions.

By Mr. FAIRCHILD: A bill (H. R. 20657) granting an increase of pension to Elizabeth A. W. Case; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20658) granting an increase of pension to Eliza A. Grant; to the Committee on Invalid Pensions.

By Mr. GOEKE: A bill (H. R. 20659) granting a pension to William R. Prichard; to the Committee on Pensions.

By Mr. GOULDEN: A bill (H. R. 20660) granting a pension to Bennie Leshin; to the Committee on Pensions.

Also, a bill (H. R. 20661) granting a pension to Elizabeth E. Brown; to the Committee on Invalid Pensions.

By Mr. GRAHAM of Illinois: A bill (H. R. 20662) granting a pension to Nancy A. Arnett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20663) granting a pension to Benjamin Garland; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20664) granting an increase of pension to Joshua C. Clevenger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20665) granting an increase of pension to Andrew J. Vancil; to the Committee on Invalid Pensions.

By Mr. HAMILTON of New York: A bill (H. R. 20666) granting a pension to Charles Gould; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20667) granting an increase of pension to Hiram Eells; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20668) granting an increase of pension to George W. Rice; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20669) granting an increase of pension to Hiram D. Stoddard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20670) granting an increase of pension to John Peterson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20671) granting an increase of pension to John A. Peterson; to the Committee on Invalid Pensions.

By Mr. HAMLIN: A bill (H. R. 20672) granting an increase of pension to Louis L. Stafford; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20673) granting a pension to Alonzo C. Jones; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20674) to carry into effect the findings of the Court of Claims in the case of Thomas A. Wakefield; to the Committee on War Claims.

By Mr. MOON: A bill (H. R. 20675) for the relief of the estate of Pleasant M. Craigmiles, deceased; to the Committee on War Claims.

By Mr. NELSON: A bill (H. R. 20676) granting a pension to William Goldsworthy; to the Committee on Invalid Pensions.

By Mr. RUCKER: A bill (H. R. 20677) granting a pension to Charles D. Comstock; to the Committee on Pensions.

Also, a bill (H. R. 20678) granting an increase of pension to Robert W. Black; to the Committee on Invalid Pensions.

By Mr. RUSSELL: A bill (H. R. 20679) granting a pension to Carl Schrock; to the Committee on Invalid Pensions.

By Mr. SELLS: A bill (H. R. 20680) granting a pension to Benjamin Hammonds; to the Committee on Pensions.

Also, a bill (H. R. 20681) granting a pension to William Merritt; to the Committee on Pensions.

Also, a bill (H. R. 20682) granting an increase of pension to David A. Turner; to the Committee on Pensions.

Also, a bill (H. R. 20683) granting an increase of pension to Robert E. Taber; to the Committee on Pensions.

Also, a bill (H. R. 20684) granting an increase of pension to David W. White; to the Committee on Invalid Pensions.

By Mr. SHREVE: A bill (H. R. 20685) granting an increase of pension to Ann E. Lowman; to the Committee on Invalid Pensions.

By Mr. SMITH of Idaho: A bill (H. R. 20686) for the relief of The Snare & Triest Co.; to the Committee on Claims.

By Mr. WOODS: A bill (H. R. 20687) granting a pension to Permella L. Dutcher; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ANSBERRY: Petitions of citizens of Ohio, favoring passage of House joint resolution 377; to the Committee on Foreign Affairs.

By Mr. BAILEY: Petition of C. E. Claycomb, William R. Kirby, and H. A. Brummert, all of Summerhill, Pa., for the passage of House bill 5308, providing for the taxation of mail-order houses for local purposes; to the Committee on Ways and Means.

By Mr. BUCHANAN of Illinois: Petitions of 166 citizens of Chicago and Cook County, Ill., favoring passage of House resolution 377; to the Committee on Foreign Affairs.

By Mr. CANTOR: Memorial of New York Board of Trade and Transportation, favoring passage of the Root bill—H. R. 3672; to the Committee on Rivers and Harbors.

By Mr. DONOHUE: Petition of the Philadelphia (Pa.) Maritime Exchange, protesting against passage of House bill 18666 for Government ownership of merchant marine; to the Committee on the Merchant Marine and Fisheries.

By Mr. DUNN (by request): Papers to accompany bill granting increase of pension to Charles H. Sanford; to the Committee on Invalid Pensions.

Also (by request), papers to accompany bill granting pension to Phoebe J. Lincoln; to the Committee on Pensions.

Also (by request), papers to accompany bill granting increase of pension to Alfred J. Sloan; to the Committee on Invalid Pensions.

By Mr. ESCH: Petition of citizens of the State of Wisconsin, favoring passage of Senate bill 6688, relative to embargo on all contraband of war; to the Committee on Foreign Affairs.

Also, petition of citizens of the State of Wisconsin, favoring passage of House joint resolution 377; to the Committee on Foreign Affairs.

Also, memorial of National Association for the Advancement of Colored People, protesting against amendment relative to colored people in the immigration bill; to the Committee on Immigration and Naturalization.

By Mr. FOSTER: Petition of citizens of Altamont and St. James, Ill., favoring passage of House joint resolution 377; to the Committee on Foreign Affairs.

By Mr. GARDNER: Petition of 74 citizens of Swampscott, Mass., favoring national prohibition; to the Committee on Rules.

By Mr. GERRY: Petition of Francis A. Verling, of Providence, R. I., urging the passage of legislation establishing real neutrality in dealing with belligerent nations; to the Committee on Foreign Affairs.

Also, petition of J. Stewart Cumming, of Pawtucket, R. I., urging the passage of legislation providing for protection against Chinese competition; to the Committee on Interstate and Foreign Commerce.

Also, petitions of Miss Helen A. Thomas, Miss Ethel W. Parks, Mrs. John A. Cross, Mrs. J. U. Edgren, Mary M. Angell, A. W. Cooper, of Providence, R. I.; Ida R. Siegfried and Mrs. Rowena Allen, of Newport, R. I., urging the passage of legislation providing for equal suffrage; to the Committee on the Judiciary.

By Mr. GOEKE: Petition of C. M. Freicht and 130 others of Lima, Allen County, and Daniel Ruck and 34 others of Auglaize County, Ohio, favoring House joint resolution 377, to forbid export of arms; to the Committee on Foreign Affairs.

By Mr. GOOD: Petition of citizens of the State of Iowa, favoring House joint resolution 377; to the Committee on Foreign Affairs.

Also, petition of citizens of Haverhill, Iowa, protesting against publication called the Menace; to the Committee on the Post Office and Post Roads.

By Mr. GOULDEN: Petition of New York Board of Trade and Transportation and Henry H. Sherman, of New York, favoring passage of S. 3672, the Root bill; to the Committee on Rivers and Harbors.

By Mr. GRAHAM of Pennsylvania: Petition of citizens of Philadelphia, Pa., favoring passage of House joint resolution 377; to the Committee on Foreign Affairs.

Also, memorial of the Pennsylvania Limited Equal Suffrage League, favoring the Bristow-Mondell resolution for woman suffrage; to the Committee on the Judiciary.

Also, memorial of the American Peace Society, relative to agitation for an increase of armament; to the Committee on Foreign Affairs.

Also, petition of colored ministers of Washington and Baltimore, protesting against the amendment to the immigration bill which excludes all members of the black race; to the Committee on Immigration and Naturalization.

By Mr. GRIFFIN: Memorial of New York Board of Trade and Transportation, favoring passage of Senate bill 3672, Root bill; to the Committee on Rivers and Harbors.

Also, petition of War Council for Peace, Washington, D. C., favoring House bill 20147, prohibiting export of arms; to the Committee on Military Affairs.

Also, petition of William M. Pence, of Norfolk, Va., favoring an appropriation of \$500,000,000 to redeem the Holy Land in the New World; to the Committee on Appropriations.

Also, petition of the Homesteaders' Association of Western Washington, relative to Senate bill 6268, providing for relief of settlers on unsurveyed railroad lands; to the Committee on the Public Lands.

Also, petition of steamship companies of Puget Sound and Alaska, favoring certain aids to navigation; to the Committee on Appropriations.

By Mr. KENNEDY of Rhode Island: Petition of A. W. Cooper, Mrs. John A. Cross, Mary M. Angell, Mrs. J. Urban Edgren, of Providence, R. I., and Mrs. Rowena Albro, of Newport, R. I., favoring woman suffrage; to the Committee on the Judiciary.

By Mr. KONOP. Petitions of citizens of the ninth congressional district of Wisconsin, favoring passage of House joint resolution 377; to the Committee on Foreign Affairs.

By Mr. LEE of Pennsylvania: Memorial of the Philadelphia (Pa.) Maritime Exchange, protesting against the passage of H. R. 18666, providing for Government ownership and operation of merchant vessels in the foreign trade of the United States; to the Committee on the Merchant Marine and Fisheries.

By Mr. LONERGAN: Letter of Miss Ellen L. Killam, secretary Enfield Grange, Enfield, Conn., in re H. R. 11897, for rural credits; to the Committee on Banking and Currency.

By Mr. MAHAN: Petition of Lucretia Shaw Chapter, Daughters of the American Revolution, of New London, Conn., favoring the erection at Washington, D. C., of a suitable monument to Nathan Hale; to the Committee on the Library.

By Mr. MOORE: Memorial of Christ Evangelical Lutheran Church, of Philadelphia, Pa., relative to observance of neutrality laws by United States; to the Committee on Foreign Affairs.

By Mr. MORIN (by request): Petition of Star Encaustic Tile Co. and 17,000 members of the L. C. B. A. of western Pennsylvania, favoring passage of the Hamill bill (H. R. 5139); to the Committee on Reform in the Civil Service.

Also (by request), petition of Jones & Laughlin Steel Co., relative to dams Nos. 1 and 2 on the Ohio River; to the Committee on Rivers and Harbors.

Also (by request), petition of Ferdinand Terno, favoring passage of House joint resolution 377; to the Committee on Foreign Affairs.

Also (by request), petition of M. T. Scully, Jane Wallace Scully, and H. R. Scully, of Pittsburgh, Pa., protesting against woman suffrage; to the Committee on the Judiciary.

Also (by request), memorial of the Pennsylvania Limited Equal Suffrage League and J. D. Thomas, of Philadelphia, Pa., favoring passage of the Mondell resolution; to the Committee on the Judiciary.

By Mr. SELLS: Evidence to accompany bill granting a pension to Benjamin Hammonds; to the Committee on Pensions.

By Mr. J. M. C. SMITH: Petitions of Hugo Mayer and 83 citizens of Battle Creek; Carl H. Zurrman, Kalamazoo; James Vreitag and 4 citizens of Marshall, all in the State of Michigan, favoring House joint resolution 377, forbidding export of arms; to the Committee on Foreign Affairs.

By Mr. SMITH of Idaho: Papers to accompany House bill for the relief of the Snare & Triest Co.; to the Committee on Claims.

By Mr. VOLLMER: Petition signed by Joseph Fuhrmann and 350 others of Johnson County, Iowa, protesting against the circulation through the United States mails of such publications, antisectionarian in their nature, as may be open to objections; to the Committee on the Post Office and Post Roads.

SENATE.

FRIDAY, January 8, 1915.

The Senate met at 12 o'clock m.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we thank Thee that our approach into Thy presence is by the way of our loftiest thought, of our deepest emotion, and of our highest duty. To think upon Thy name is to elevate life and show its kinship with God. The measure of Thy blessing is not according to our merit but according to Thy great grace. In the unity of our thought concerning Thee we find the unity of our purpose and of our national life. Look Thou upon us from Thy throne and guide all Thy servants. Whatever may be the language in which they put Thy name and Thy revelation, yet do Thou, the great God of our fathers, guide us all in unity of spirit for the best interests of our national life and the happiness of all the people. For Christ's sake. Amen.

The VICE PRESIDENT resumed the chair.

The Journal of the proceedings of the legislative day of Wednesday, January 6, 1915, was read and approved.

FINDINGS OF THE COURT OF CLAIMS.

The VICE PRESIDENT laid before the Senate communications from the assistant clerk of the Court of Claims, transmitting certified copies of the findings of fact and conclusions filed by the court in the following causes: Jonathan B. Carille v. The United States (S. Doc. No. 710); Martha C. Cosgriff, widow of Thomas Cosgriff, v. The United States (S. Doc. No. 709); James W. Bigelow v. The United States (S. Doc. No. 708); Albert H. Campbell, son of William T. Campbell, deceased, v. The United States (S. Doc. No. 707); Stoughton A. Boatright v. The United States (S. Doc. No. 706); Malden E. Benton, son and one of the heirs of William Benton, deceased, v. The United States (S. Doc. No. 705); Curtis L. Carter, son, Hallie Taylor, daughter, sole heirs of Charles M. Carter, deceased, v. The United States (S. Doc. No. 704); Lafayette Chandler v. The United States (S. Doc. No. 703); Sarah M. Wood, widow (remarried) of Benjamin W. Cleaver, deceased, v. The United States (S. Doc. No. 702); Jane E. Chapel, widow of John L. Chapel, v. The United States (S. Doc. No. 701); George A. Bender v. The United States (S. Doc. No. 700); James Barr v. The United States (S. Doc. No. 699); Ronello A. Barrows v. The United States (S. Doc. No. 698); Beckwith Bealmear v. The United States (S. Doc. No. 697); Rosalbro B. Brazelton v. The United States (S. Doc. No. 696); Jacob Collier v. The United States (S. Doc. No. 695); Cullen E. Cline v. The United States (S. Doc. No. 694); Carrie M. Cleveland, widow of Albert C. Cleveland, v. The United States (S. Doc. No. 693); Valentine K. Boyer v. The United States (S. Doc. No. 692); John Breeding v. The United States (S. Doc. No. 691); Harriet B. Baird, widow

(remarried) of Isaac L. Bowman, deceased, v. The United States (S. Doc. No. 690); William S. Boyd v. The United States (S. Doc. No. 689); Maria A. McCrillis, widow (remarried) of Allen J. Canfield, deceased, v. The United States (S. Doc. No. 688); Granville G. Davison, son and heir of Josiah M. Davison, deceased, v. The United States (S. Doc. No. 687); Richard T. Browning v. The United States (S. Doc. No. 686); Charles B. Hendren, administrator of Nathaniel C. Brown, deceased, v. The United States (S. Doc. No. 685); Jeanette D. Buckner, widow of Lewis Buckner, deceased, v. The United States (S. Doc. No. 684); George L. Cathey v. The United States (S. Doc. No. 683); George R. Clements v. The United States (S. Doc. No. 682); Richard H. Burke v. The United States (S. Doc. No. 681); Charles T. Chandonia v. The United States (S. Doc. No. 680); and Victory Champlin v. The United States (S. Doc. No. 679).

The foregoing findings were, with the accompanying papers, referred to the Committee on Claims and ordered to be printed.

CALLING OF THE ROLL.

Mr. GALLINGER. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gore	Page	Smoot
Brady	Gronna	Perkins	Sterling
Bristow	Hardwick	Poinexter	Stone
Bryan	Hollis	Pomerene	Swanson
Burton	Jones	Ransdell	Thomas
Chamberlain	Kenyon	Reed	Thornton
Clapp	La Follette	Robinson	Tillman
Culberson	Lane	Saulsbury	Townsend
Cummins	Lodge	Sheppard	Vardaman
Dillingham	Martine, N. J.	Sherman	Walsh
du Pont	Nelson	Smith, Ga.	White
Fletcher	O'Gorman	Smith, Md.	Williams
Gallinger	Overman	Smith, S. C.	Works

Mr. GRONNA. My colleague [Mr. McCUMBER] is necessarily absent from the city. He is paired with the junior Senator from Tennessee [Mr. SHIELDS]. I will let this announcement stand for the day.

Mr. TOWNSEND. I announce the absence of the senior Senator from Michigan [Mr. SMITH]. He is paired on all votes with the junior Senator from Missouri [Mr. REED]. This announcement may stand for the day.

Mr. SMOOT. I desire to announce the unavoidable absence of my colleague [Mr. SUTHERLAND] from the city. He is paired with the senior Senator from Arkansas [Mr. CLARKE].

Mr. ASHURST. I wish to announce that my colleague [Mr. SMITH of Arizona] is unavoidably absent from the Senate. I will let this announcement stand for the day.

Mr. GALLINGER. I desire to announce that the Senator from Maine [Mr. BURLEIGH] is detained from the Senate on account of illness in his family.

Mr. OVERMAN. I wish to announce that my colleague [Mr. SIMMONS] is absent on account of sickness.

Mr. MARTINE of New Jersey. The Senator from West Virginia [Mr. CHILTON] is necessarily absent from the Senate. He is paired with the Senator from New Mexico [Mr. FALL].

The VICE PRESIDENT. Fifty-three Senators have answered to the roll call. There is a quorum present. The presentation of petitions and memorials is in order.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House agrees to the amendments of the Senate numbered 9 and 10 to the bill (H. R. 6060) to regulate the immigration of aliens to and the residence of aliens in the United States, disagrees to the residue of the amendments of the Senate to the bill, requests a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. BURNETT, Mr. SABATH, and Mr. GARDNER managers at the conference on the part of the House.

The message also announced that the House had passed a bill (H. R. 18851) to prohibit the sale or gift of intoxicating liquors to minors within the admiralty and maritime jurisdiction of the United States, in which it requested the concurrence of the Senate.

The message further announced that the House had agreed to the concurrent resolution of the Senate numbered 35, relative to the celebration of the one hundredth anniversary of the Battle of New Orleans.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President: